



# INTERNATIONAL JOURNAL OF KASHMIR STUDIES



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# INTERNATIONAL JOURNAL OF KASHMIR STUDIES

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- To assess and examine the needs and requirements of research in Kashmir studies and dynamics of Pakistan.
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*(Document No. 5/1196 para. 15, dated the January 10, 1949)*

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(Dr. Sania Muneer)  
Editor in Chief





# Revocation of Kashmir's Special Status: Analyzing Journalistic Responses on Twitter

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## **Abstract**

*The revocation of the special status of Jammu and Kashmir by abrogating Article 370, of the Constitution of India, by the Indian parliament drew special attention to the issue of Kashmir. This comparative research study was designed using qualitative content analysis of journalists' tweets on this issue. For that purpose, tweets by journalists from Pakistan, India and foreign countries were selected to investigate and compare their views regarding the issue and situation of Indian Held Kashmir. The twitter data was gathered manually through Twitter Advance Search for the required time period. The result showed the comparison of sentiments and the polarity of content extracted from the tweets. Furthermore, this study revealed that the Pakistani and foreign journalists condemned*

*illegal decision of revocation and inhumane conduct of Indian armed forces; while Indian journalists questioned their own government's strategy to resolve the issue.*

**Keywords:** Journalism, Kashmir, Pakistan, Revocation of Article 370, Twitter

## **Introduction**

The Kashmir issue is a historical dispute between Pakistan, India and people of Jammu and Kashmir, and revocation of Article 370 posed a severe challenge to the already fragile and contested relationship of these stakeholders.<sup>1</sup> Kashmir's contest has hitherto triggered four wars between India and Pakistan since the Partition of sub-continent in 1947; furthermore, the insurgency in Kashmir has made it an ideological issue as well. Resultantly, we can see the history of relationship between Pakistan and India as a history of failure and conflict.<sup>2</sup> The dispute over Kashmir between these two nations arose when the British moved out of the sub-continent, and India and Pakistan got their independence. At that time Jammu and Kashmir, where majority of population was Muslim, had been governed as a princely state by the Hindu Prince Maharaja Hari Singh. As many other states were joining either Pakistan or India, Hari Singh wanted to give Kashmir a separate status, not running under either side's constitution and to retain its own independent status. Maharaja signed an agreement of standstill with India and Pakistan which allowed both sides to do trade and travel. Later, Poonch resistance led Maharaja to seek assistance and military aid from India which he got only on the condition of put Kashmir under

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<sup>1</sup> D Sagar, *Jammu & Kashmir-A Victim: A Victim of Personal Ambitions of Some and Mishandling by the Core Indian Leadership* (Prabhat Prakashan, 2015).

<sup>2</sup> S Ganguly, *Conflict unending: India-Pakistan Tensions since 1947* (Columbia University Press, 2002); J. Korb, *Danger in Kashmir* (Princeton University Press, 2015).; S. Wolpert, *India and Pakistan: Continued Conflict or Cooperation?* (University of California Press, 2010).

the Indian Constitution. In October 1947, Maharaja Singh signed the document “Instrument of Accession” and put Kashmir under the dominance of India in exchange for a special autonomous status for Kashmir under the articles 370 and 35A.<sup>3</sup>

While Pakistan urged that the territory's sovereignty be determined in accordance with previous UN resolutions (which pushed for a plebiscite in both parts of the region), India contended that a solution should be found through bilateral dialogue.<sup>4</sup> On April 21, 1948, the United Nations Security Council published Resolution 47, which called on India and Pakistan to end their hostilities in Kashmir and recommended plebiscite to decide the fate of Jammu and Kashmir's people.<sup>5</sup> Thus, both nations indicated their agreement of the plan for a plebiscite in a January 5, 1949 resolution that stated: “The subject of the accession of the State of Jammu and Kashmir to India or Pakistan shall be settled by the democratic procedure of a free and impartial plebiscite.” Concerning the conflict between India and Pakistan over Jammu and Kashmir, the Security Council proposed in SC Res. 47 (21 April 1948) that a plebiscite be held in accordance with Article 46.<sup>6</sup>

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<sup>3</sup> A. Waheed, A. Khan, & M. Ejaz, “Revocation of Article 370 of Indian Constitution Implications for Regional Peace,” *Pakistan Journal of International Affairs*, 5 no. 2 (2022); R. S. Hashmi, & A. Sajid, A. “Kashmir Conflict: The Nationalistic Perspective (A Pre-Partition Phenomenon),” *South Asian Studies*, 32 n. 1 (2020).

<sup>4</sup> T. Hussain, *T. Kashmir Dispute. Regional and Ethnic Conflicts: Perspectives from the Front Lines*, (Course Smart e-text book, 2015), 41.

<sup>5</sup> D. Ahlawat, & M. R. Izarali, “India's Revocation of Article 370: Security Dilemmas and Options for Pakistan,” *The Round Table: The Commonwealth Journal of International Affairs*, (2022): 1-22.

doi:10.1080/00358533.2020.1849495; M. A. Gupta, “The Story of Jammu and Kashmir and Interpretation of Article 370 of the Constitution of India,” in (*Oxford Conference Series October 2019*), 28.

<sup>6</sup> M. A. Qadeer, “United Nations Resolutions on Kashmir and their Relevance,” *Journal of Strategic Affairs*, 2.

To ensure the plebiscite's impartiality, it advised that Pakistan evacuate all tribesmen and nationals who had arrived at the region to help the Kashmiri people, and that India would leave just the number of troops required to maintain civil order. Earlier in 1948, India brought to the Security Council its claim that Pakistan committed an act of aggression against it in Kashmir and requested that the UN condemn Pakistan for the invasion of Kashmir and asked Pakistan to remove its soldiers so that a plebiscite could be held. As time passed, India not only repudiated the promise of plebiscite but also curtailed the autonomy of the Jammu and Kashmir. India abolished the positions of President and Prime Minister and replaced them with Governor and Chief Minister respectively. This attitude gave birth to the idea of revoking the special status of Jammu and Kashmir. Bharatiya Janata Party (BJP) government under Narendra Modi went ahead with it in August 2019 by abrogating the article 370 and 35A.<sup>7</sup>

Consequently, Jammu and Kashmir became the most militarized part of the globe where people, particularly activists for independence, are subject to human rights violations by the Indian army;<sup>8</sup> whereas, the abrogation of Article 370 imposed strict restrictions over Indian Held Kashmir. The journalists are not being able to report from the Kashmir valley and media persons from other parts of India and foreign correspondents were not allowed to enter into the valley.<sup>9</sup> The armed forces arrested those local journalists who, despite of

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<sup>7</sup> U. W. Chohan, & O. Aamir, O. "Kashmir: Beyond Imbroglios," *Journal of Indo-Pacific Affairs*, 3 (2019): 159-83.

<sup>8</sup> M. Ahmar, M. "Indian Secularism and the Erosion of Article 370," *Journal of Pakistan Vision*, 18 n. 01 (2017): 1-12.

<sup>9</sup> M. Aamir, "Media Censorship after the Jammu and Kashmir Reorganization Act, 2019: A Case Study in Kashmir," *Int'l JL Mgmt. & Human Issue* 3 no. 4 (2021): 2890; A. Kuszewska, "Human Rights after Article 370 Abrogation," in *Human Rights Violations in Kashmir* (Routledge, 2022), 75-95); A. Sirohi, "Jammu and Kashmir during the Communication Blackout: A Textual Analysis of Indian News Coverage," (2020).

these restrictions, tried to report the issues.<sup>10</sup> In the light of these constraints to information, focusing on the portrayal of the new developments in conflict, role of the journalists and the role of digitization, this study investigates the use of Twitter by the journalists on the revocation of Kashmir status by abrogating Article 370.

## Literature Review

Jammu and Kashmir has been under the control of Indian state since 1947 and the autonomous status to the Indian Occupied Jammu and Kashmir was given on January 26, 1950.<sup>11</sup> That allowed people of Jammu and Kashmir to have their own flag, constitution and autonomy except communications, defense, and foreign affairs. Kashmiri people were enjoying right of owning their own lands and properties, right to buy and sell their properties, to have jobs and to be the permanent residents of Kashmir under the Article 370.<sup>12</sup>

New Delhi made this attempt of autonomous status in order to fulfill two purposes: Firstly, it averted the crisis situation in J&K, the occupied part of Indian state; and secondly, to keep up the secular aura of the Indian state by giving the Jammu and Kashmir as a Muslim majority state autonomy. Indian secularism started to be questioned upon when New Delhi started to lessen the J&K

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<sup>10</sup> R. Khan, M. Z. Khan, & Z. Abbas, "Moving towards Human Catastrophe: The Abrogation of Article 370 in Kashmir Valley," *Journal of Muslim Minority Affairs*, 41 no. 1 (2021): 78-85.

<sup>11</sup> Ahmar, "Indian Secularism and the Erosion of Article 370," *Journal of Pakistan Vision* 18 no. 01 (2017): 1-12.

<sup>12</sup> Ahlawat, & Izarali, "India's Revocation of Article 370," 1-22. ; B. A. Bhat, "A Study on Jammu and Kashmir Present, Past and Views of Students on Article 370 Abrogation," *International Journal of Latest Research in Humanities and Social Science (IJLRHSS)*, (2019): 1-11; A. Bhatia, "The Discursive Construction of Legitimacy in the Abrogation of Indian Constitution's Article 370," *Journal of Pragmatics*, 183, (2021): 132-141; S. Gabel, L. Reichert, & C. Reuter, "Discussing Conflict in Social Media: The Use of Twitter in the Jammu and Kashmir Conflict," *Media, War & Conflict*, (2020), 1750635220970997.

autonomous nature.<sup>13</sup> The Indian government rejected the referendum proposal and reorganized Indian-occupied Kashmir as the State of Jammu and Kashmir, India's only Muslim-majority state. When a Muslim-majority Hindu-ruled Jammu and Kashmir appeared to be heading to Pakistan on the basis of the Partition concept, the RSS toyed with the notion of an independent state with a Hindu king in order to accomplish its aim of capturing Kashmir as a Hindu territory.

Kashmir has had to shoulder the weight of being a monument to the Indian secular democratic ideal, an assertion that religion has nothing to do with nationhood and that Indian pluralism accepts no exceptions. By pursuing a reduced 'autonomy', the New Delhi government always sought to permanently integrate Kashmir into the India nation-state.<sup>14</sup> On February 24, 1994, both the houses of parliament voted on a joint resolution proclaiming Jammu and Kashmir to be an integral part of India and demanding that Pakistan evacuate the territory of Jammu and Kashmir; it had forcefully seized via aggression in 1947-48.<sup>15</sup> However, in 2000, the Jammu and Kashmir Assembly approved a motion with a two-thirds majority asking the restoration of autonomy for the state provided by the Indian Constitution but eroded over time since 1964.<sup>16</sup> The school of thought which had been in favor of the abrogation of article 370 tried to change the demographics of Kashmir by making colonies for the nonresidents and also for the Hindu Pundits. They wanted to diffuse Article 370 for the purpose of political gains in the election campaigns. It was exceedingly difficult to pass any

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<sup>13</sup> Ahmar, "Indian Secularism and the Erosion of Article 370," 1-12.

<sup>14</sup> A. Zia, "Blinding Kashmiris: The Right to Maim and the Indian Military Occupation in Kashmir," *Interventions*, 21 no. 6, (2019): 773-86.

<sup>15</sup> A. Varshney, "Three Compromised Nationalisms: Why Kashmir has been a Problem," in *Perspectives on Kashmir* (Routledge, 2019), 191-234.

<sup>16</sup> W. A. Sofi, "Erosion and Demand of Autonomy in the State of Jammu and Kashmir," in *Autonomy of a State in a Federation* (Singapore: Palgrave Macmillan, 2021), 113-60.

resolution without the consent of stakeholders from all the regions of Indian Occupied J&K.<sup>17</sup>

By promoting diluted 'autonomy,' the New Delhi government seeks to permanently integrate Kashmir into the India nation-state. The Hindu nationalist Bhartiya Janata Party, which came to power with a sweeping majority on August 5, 2019, dissolved the Jammu and Kashmir State's unique status and merged it into the Indian political mainstream by constitutional amendment.<sup>18</sup> The radicalized approach of Indian Prime Minister Narendra Modi behind this revocation seems to have a win for the Bhartiya Janata Party on its stance over Hindutva Movement. Modi undoubtedly got an immense popularity among the Indians supporting this movement after abrogation of Article 370 and 35a which made BJP to win the elections a second term as well.<sup>19</sup>

After revocation, curfew was imposed by the Indian forces in the valley. People in the valley had no access towards basic needs of food, medicine, and communication as the forces seized the basic right of freedom of expression from the people of J&K.<sup>20</sup> The region was in total control of the military, and restrictions were imposed over the political activities and leaders on running any political campaign or demonstration. Indian forces beat up so many journalists who tried to enter the valley or were being able to send

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<sup>17</sup> Ahmar, "Indian Secularism and the Erosion of Article 370," 1-12.

<sup>18</sup> A. H. Nadaf, "Discursive Representation of the Article 370 Abrogation: A Comparative CDA of the Headlines of Two Major Indian Online News Publications," *Journalism*, (2021).14648849211056843.

<sup>19</sup> Z. A. I. N. Ali, "Production of Hindutva-Driven Populism in India: An Analysis of Bharatiya Janata Party's Political Messaging in Twittersphere," *Asya Araştırmaları Uluslararası Sosyal Bilimler Dergisi*, 5 no. 2 (2021): 179-94; A. Azam, "Indian Foreign Policy towards Pakistan during Modi Era: Assessing the Role of Ideology-Hindu Nationalism," *BTTN Journal*, 1 no. 1 (2022); A. S. Minhas, B. Ahmad, & M. A. Khan, M. A. "Seizing Kashmir's Identity: Implications for the Global Peace and Stability," *NDU Journal*, 69 (2019).

<sup>20</sup> C. Snedden, *Understanding Kashmir and Kashmiris* (Oxford University Press, 2015).



their reporting outside of the Jammu and Kashmir.<sup>21</sup> The armed forces arrested those local journalists who despite of these restrictions tried to report about the issue that too from inside the Jammu and Kashmir. Consequently, the Indian forces gained special right to arrest any person without any warrants and not bound to justify their actions in front of the courts; Indian military gained this power under the Armed Forces Special Powers Act.<sup>22</sup>

However, in this digital age the narrative about India and the image of India as a democratic state has now been proved wrong through the lens of the media ecology. In this age, new media could be so insightful in knowing true face of Indian state through tweets, hashtags and posts on Twitter and Facebook. This media ecosystem has provided the Kashmiris to let express their understandings and to speak out loud for their counter narratives against the military and political cruelties.<sup>23</sup> For decades, Kashmiris have advocated the right to self-determination via public rallies, meetings, and protest demonstrations. This would bring some relief to Kashmiris who are tired of war and dying on both sides.

Pakistan, who is also the part of this conflict, responded over the revocation of Article 370 unprecedentedly. Pakistan took over the issue more reactionary to the UN and discussed its consequences to the rest of the world.<sup>24</sup> Prime Minister of Pakistan Imran Khan called this act illegal and said that India has violated Shimla Agreement of the resolution of United Nation Security Council. Imran Khan appealed the international communities to intervene this

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<sup>21</sup> Aamir, "Media Censorship after the Jammu and Kashmir Reorganization Act, 2019," 2890.

<sup>22</sup> R. Khan, M. Z. Khan, & Z. Abbas, "Moving towards Human Catastrophe," 78-85.

<sup>23</sup> G. Osuri, "#Kashmir 2016: Notes toward a Media Ecology of an Occupied Zone," *South Asian Popular Culture*, 17 (May 30, 2019). 1-22. doi:10.1080/14746689.2019.1612554

<sup>24</sup> A. Z. Hilali, "Kashmir Combustible Region: Abrogation of Article 370 & 35-A and its Grave Implications," *Journal of Indian Studies*, 7 no. 2 (2021): 247-68.

issue.<sup>25</sup> On the other hand, India always instructed the international institutions to stay out of the Kashmir issue by claiming it as its internal matter not an international conflict.<sup>26</sup> The demographic changes in the Kashmir region are of immense importance for India. India believes that the cancellation of these articles from its constitution is necessary to control over the militarized groups in Kashmir presumed rising to challenge India's sovereignty. However, the Indian media's support for its country and timely information supplied to local and worldwide audiences aided not just the Indian population but also the foreign media in understanding the situation on the ground, which affected the ICJ's decision.<sup>27</sup>

Since then, India has insisted on resolving Indo-Pak conflicts through bilateral negotiations and has opposed the inclusion of any third party in the Kashmir dispute. By repeatedly discussing this subject in the UN Security Council, Kashmir has become an international struggle against India's desire. J&K conflict as a worldwide problem, not only a battle between India and Pakistan.<sup>28</sup> As a result, India has been obligated to invite international missions to the region in order to ascertain the truth behind India's stand on the subject but there is continuing instability in Kashmir.<sup>29</sup> Whereas frequent violence between nationalist parties has prompted additional talks between India and Pakistan, with both sides promising a peaceful resolution. Both parties maintained bilateral conversations, but they also stated that it is nearly hard for both

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<sup>25</sup> S. Alam, M. N. Bhat, & M. W. Awan, "Abrogation of Articles 370 & 35A of the Indian Constitution: Implications for Peace in South Asia," *International Review in Social Sciences*, (2020): 9-20.

<sup>26</sup> Wolpert, *India and Pakistan*.

<sup>27</sup> N. Seam, *Media is a Blessing or a Curse for National Security: Role of Media in Nation Building*, (2016), 25.

<sup>28</sup> Hashmi, & Sajid, "Kashmir Conflict".

<sup>29</sup> K. A. Kronstadt, *Kashmir: Background, Recent Developments, and US Policy* (Congressional Research Service, 2020).

sides, Pakistan and India, to agree on even a single point.<sup>30</sup> Apart from open disputes, continuous bilateral tensions are a burden on both nations.

## **Methodology**

This study intends to analyze the views of journalists from Pakistan, India, and international media outlets about the revocation of the special status of Jammu and Kashmir through abrogation of Article 370. For this purpose, qualitative content analysis method has been used as a discovery tool to analyze the views of Pakistani, Indian, and foreign journalists about the revocation of the special status of Jammu and Kashmir abrogating Article 370. The data collection time frame spans over four months, from August 5, 2019 (the day of article 370 abrogation) to December 5, 2019. Fifteen (15) renowned journalists were selected, five from each group, Pakistan, India, and international community to compare Twitter trends over the certain time. The Twitter data was collected manually by using 'Twitter Advance Search.' As it allows the researcher to collect the data from the dates and year it needs to be collected from. By scrolling down the accounts option, type the username and select the dates of your time frame required then hit the search button to get the required data. The data was then transferred to the excel file. Each journalist's data was arranged separately to analyze the major themes and categories highlighted in their tweets, which are short texts.

## **Data Analysis**

This study analyzed 1,652 tweets of Pakistani, Indian, and foreign journalists, 331, 1010 and 311 respectively, focusing Human Rights Violations and Restrictions on Journalism in Kashmir after the

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<sup>30</sup> R. Indurthy, & M. Haque, "The Kashmir Conflict: Why it Defies Solution," *International Journal on World Peace*, 9 (2010): 44.

revocation of Article 370. It is obvious that revocation of 370 has not only weakened the position of Kashmiri people in their own lands but also strengthened the India to roam into the streets of Kashmir for spreading the havoc in the region. The heavy deployment of military forces and curfew was imposed, and people of Kashmir were not allowed to walk on streets, go out of their houses; furthermore, there has been a shortage of food and medicines. The journalists from Pakistan and abroad, and from India to some extent, over abiding by the international humanitarian laws, expressed it as a destructive approach of Indian government towards the Indian Occupied Kashmir.

### **Themes Derived from the Content Analysis of Different Tweets**

The following themes are derived from different tweets during the time of research to comprehend the tweeter trends and response of the people through tweeter about the revocation of Article 370.

### **Basic Human Rights Violations**

Revocation of Article 370 brought the Kashmir valley under Indian administration, violating the international human rights laws. The world has witnessed Indian atrocities in Kashmir where basic human rights of freedom, access to food and medicine were suspended due to a seemingly perpetual curfew and lockdown.

A Pakistani journalist Mubashir Luqman tweeted over it as, “#Jammu & #Kashmir (Illegally annexed by India) is now facing severe shortage of life saving #medicines. Severe #food shortage and lack of any commercial activity that is bound to send the entire population below the poverty line. Sad to see so many #Human Rights activists silent”. Pregnant ladies who need labor are also restricted to take rides to visit the hospital. “Pregnant Kashmiri women not allowed to go hospitals in vehicles. A poor woman walked 6km with pain to reach a private hospital @UN

@UNHumanRights @UN\_Women @womensmarch @hrw @amnesty @HRC”, wrote Hamid Mir, a renowned Pakistani journalist.

The dark side behind the curfew imposed in the valley is an ultimate deliberate step towards the communal cleansing of Kashmiri people and their ouster from their own lands. “Invoke phony terror threat. Deploy tens of thousands more troops. Shutdown internet and telecommunications. Declare curfew. Deploy more troops and their family members. Turn outposts into settlements. Turn settlements into mini cities. Occupy. Colonize. Cleanse. #Kashmir”, an Australian journalist CJ Werleman posted. He further wrote that “The loudest sound is the deathly silence from Kashmir’s patrolled, barricaded streets and its approximately seven million caged, humiliated people, stitched down by razor wire, spied on by drones, living under a complete communications blackout.”

An Indian journalist Barkha Dutt, highlighting the severity, tweeted, “Watch the voices of Kashmiris in my ground report from Srinagar. The comment that stayed with me: “This proves your attachment is to land and not people.” “You have taken away our *Taaaj*, our crown.” These have been the missing voices so far. What Kashmiris think?” While there is an appreciation for the front-line workers in the Kashmir, who are struggling hard in this difficult time, Barkha said, “Meet @DrSyedSehrish- MBBS, IPS, now IAS, a young, spunky Kashmiri woman at the frontline of managing a very difficult situation. She talks to me here.”

### **Police Action**

The action of police in the Indian Occupied Jammu and Kashmir against the Kashmiri protesters had also been highlighted by the journalists in Pakistan. Using the twitter hashtags, talking specifically about Kashmiri genocide, they told the public that police in the J&K uses tear gas over 10,000 protestors.

“In Srinagar hospital ward, pellet victims belie official claims of 'calm', Syed Talat Hussain posted a tweet. While Indian journalist tweeted, “The Jammu and Kashmir police have issued a statement strongly refuting international media reports on police resorting to live firing at protesters. “Not a single bullet fired in last 6 days” say @JmuKmrPolice”, Barkha Dutt. However, another Indian journalist Rajdeep Sardesai questioned the extremist activities of Indian police and demanded investigation. In a tweet Sardesai also unveils the marble slingshot fired by the forces on the people protesting there in which a young girl also got injured by having the slingshot directly into her eye.

### **Political Imprisonment**

The Indian government ordered the arrest of Kashmiri leadership to divert the issues. It is observed as the India wants to formulate a new leadership in Kashmir, who will work only for Indian interests.

Even, Indian journalists argued that there is no need to keep the Kashmiri political leaders in custody when there is no violence in the valley. Barkha Dutt posted, “Omar @OmarAbdullah Mehbooba @MehboobaMufti reported to be detained at Hari Niwas Palace and @sajadlone @imranrezaansari at Centaur. But why? No matter what your view on #Article370 how is this acceptable in a democracy, especially when you say the peace has held and no violence”. The arrest of mainstream Kashmiri leaders (a source says 4000 detentions, mainstream and separatist) has no basis. Allow them to protest if they wish. That is Normalcy.

Police detained the Kashmiri politician Shah Faysal from the airport where they claimed that he was departing for London. Indian journalist Rajdeep Sardesai tweeted that “We are told repeatedly by governor that situation is normal in Kashmir valley; if ‘normal’ then why detained opposition leaders at airport; normalcy is built on trust

not confrontation; frankly, an all-party delegation, incl Govt and opposition leaders, should visit!”

A Pakistani journalist Moeed Pirzada tweeted, “Arrest looks strange! Is BJP trying to create a new face of Kashmiri leadership that will ignore real issues & offer some criticism of administrative actions for optics?” Similarly, Australian CJ Werleman posted that India is misleading the world by saying that Kashmir invites India, which is exactly the opposite of the situation the Kashmir valley is facing. It is denying all accuses by the other media over unhumanitarian actions of India. “So, India has imprisoned 200 Kashmiri political leaders; detained journalists; and shut down all Internet and phone communications. But tells the world Kashmir welcomes India”.

### **Genocide in Kashmir**

Pakistani journalists believe that the ethnic cleansing of the Kashmiri people and their genocide is a big threat by the Indian state, and it is worsening the situation in the Kashmir valley on humanitarian grounds. “Threat of Ethnic genocide & mass exodus of refugees under state created panic is real! Pakistan's challenge is to let the world understand that Hitler's reincarnation has taken place in Delhi!” said by Moeed Pirzada.

Indian Prime Minister Modi should not forcefully implement the same model of Anti-Muslim that Israel has implemented in Palestine. It will be a disastrous step for the region. International community has been promised Kashmiris a plebiscite.

### **Restriction on Movement**

People of Kashmir are restricted to stay in their homes and cannot leave their homes as curfew was imposed in the valley; even Indians were not allowed into the valley. Pakistani journalist Syed Talat

Hussain tweeted that “Even Rahul Gandhi cannot enter occupied Kashmir—such is the tyranny that reigns this disputed land. Modi’s monstrous moves have set the valley on fire and only a total lockdown is keeping real news blacked out.”

People are in total anxiety for their loved ones because they cannot travel or go to meet their families. Indian journalist Barkha quoting the local resident tweeted that “Irfan breaks down in tears after not being able to reach his father. This little *parchi* (Small piece of paper) and the serial number that comes with it, has come to be the defining image of so many people’s anxiety and anger in #Kashmir and the worst is those dreaded two words - Not Reachable”.

### **Communications Blackout**

One of the most dictatorial steps of Modi’s government was communication blackout which put the whole media in Indian Held Kashmir under siege. Local people have no access to the information sources. Is their voice really being heard by the others? Finding out that the Editors in India too are showing their concerns over the communication censorship in the valley.

Journalists from Pakistan also highlighted the issue that Kashmiri journalists are facing restrictions on reporting the current situation as a journalist from Kashmir said, “Kashmir is becoming another Palestine.” Committee for the protection of journalists also raised issue in front of the Indian government to abide by harassing the local journalists in Indian Occupied Jammu and Kashmir. Editors who speak the truth about Kashmir are being tagged as traitors. Journalists in Srinagar saying they are facing restrictions and censorship @CPJAsia @RSF\_inter @freepressunltd @hrw @amnesty @UN @FreedomofPress @pressfreedom @IFJGlobal”, said Hamid Mir.



Journalists in India has been reporting from the Kashmir without phones and communication leverages hence manage how to report in such situation. “We have all spent years reporting from Kashmir without mobile phones and internet connections. We are not the story. Innovative reporters have always found a way. It is the classic challenge of field reporting. The victims of the communications blockade are the people. Not us”, tweet by Barkha Dutt. The Indian government also stopped the foreign journalists to enter the valley.

International media journalists also declared revoking Article 370 and blocking the international media to report from inside the Kashmir as a heinous attempt to make colonies in Kashmir by force. For this internet services in the valley are down in order to stop Kashmiris to tell the world about their torments. “I have covered conflict in Syria, Gaza, Libya, Afghanistan, Iraq & Yemen. Managed to tell stories from all sides—sometimes with great difficulty. But the total inability of non-Indian journalists to report from Indian Administered #Kashmir is highly unusual,” said Nicola Careem. “Let us in and we'll do lots of reporting across J&K. It has been 18 days since I applied to travel to the state, and @MEAIndia has not granted permission. Only large news organizations with local reporters have managed to report from Srinagar – and with difficulty at that.” said Lauren Frayer

Journalists also highlighted the communication blackout by the Indian government in Kashmir. Indian government do not let any Kashmiri to talk about his right or unveil the conditions of Kashmir to the external media. “Is this height of brutality? or stupidity or shamelessness? or all combined together? or insecurity of hearing even the slightest of truth from any Kashmiri?” tweeted Moeed Pirzada.

Indian journalist Sagarika describing the plights of the civilians tweeted, “My sister and her husband too have a regret — if the

phones worked, maybe a single call could have saved their baby.” In Srinagar lockdown, how a reporter got news of his sister’s miscarriage. Due to the communication blackout in Kashmir, many people are not able to get to know about their families or to reach their homes. Barkha talked about a Kashmiri man Idrees ul Haq who wished to see his mother or at least let her know about his safety.

Many journalists from all over the world saw this very dictatorial and violated steps taken by Indian Prime Minister Narendra Modi as his fascist policy. By referring international newspaper, Arshad Sharif related Modi with Hitler and the BJP of India as the Nazi party. In his post, he tweeted, “#Israeli newspaper warns the world that #Modi is the new #Hitler and BJP are the new #Nazi party in #India #UN should #Stop Kashmiri Genocide #Hitler’s Hindus: The rise and rise of India’s Nazi-loving nationalists.” From Pakistani journalist’s point of view, this kind of hard effecting situation in the region cannot be eliminated in the presence of the Modi’s fascist policy and his criminal gangs in the state of India. They urged Pakistan not to bound itself towards the fascist policies of the fascist Modi’s government. The Nazism policy of Modi is defined as “You have two cows. The government takes both and shoots you.”

India based journalists also somehow opposed the brutal stance of Modi government of using forceful tactics to control the Kashmir region and the Kashmiri people. Use of force only brings failure towards a win. A mindful decision can only bring positive changes and progress in the region. “Have believed from Day 1 you cannot solve the problem of Kashmir with brute force. Salvation lies in going all out to win the hearts and minds of people of J&K. This is not just the responsibility of the @narendramodi government but every one of us as citizens of this great republic,” said Rahul Kanwal.

## **Conclusion**

The study set out to analyze the use of micro-blogging website Twitter by the Pakistani, Indian and foreign journalists on the revocation of the special status of Jammu and Kashmir abrogating Article 370 by the Indian parliament. The results revealed that Pakistani and foreign journalists condemned candidly the decision and the un-humanitarian actions taken by the Indian government to suppress the people of Kashmir after the announcement of revocation. The tweets mostly focused on the violation of basic human rights, physiological implications, public safety and security, and freedom of expression. The other findings of the study include: (a) well-known Indian journalists were reluctant to support or to condemn the decision of revocation of the special status of Jammu and Kashmir, however, they highlighted the human rights violations and atrocities of their government; (b) they questioned Indian authorities for their illegal action; and (c) there were clear traces of polarity and subjective analysis of the journalists who highlighted the incident for the national and international legal bodies to take action. In light of the results, it can be discerned that the revocation of Jammu and Kashmir status got prominence on Twitter and became a trending subject as Pakistani, Indian and foreign journalists shared the information and expressed their views on this issue at a large scale.



# Role of Charismatic Leadership in Conflict Management: A Study of Jinnah's Visits to Jammu and Kashmir

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# **Role of Charismatic Leadership in Conflict Management: A Study of Jinnah's Visits to Jammu and Kashmir**

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## **Abstract**

*The present article studies two of important visits of Quaid-i-Azam Muhammad Ali Jinnah to Jammu and Kashmir in 1924 when he met with the leadership of Anjuman-i-Taufiqul Islam to discuss the hardships and misfortunes faced by the Kashmiri Muslims; and the second visit was made in 1944 at the request of Sheikh Abdullah to carry out arbitration between different factions of the Kashmiri Muslims. This second visit of Jinnah was his final visit to Kashmir which stirred controversy and resulted in, Jinnah and Sheikh Abdullah's rift on the unconditional support of the Muslim Conference of Chaudhry Ghulam Abbas. Between these two visits, Jinnah had been fully aware of the plight of the Kashmiri Muslims, and he advocated and extended his support and political assistance to the Kashmiri leaders; this contributed to his status as the sole charismatic leader of the Muslims in the Subcontinent. These two visits also resulted in some challenges for Jinnah from his*

*community and other minorities in Kashmir; however, even after these visits, despite some bitter memories, he did not forsake the Kashmir cause and used his leadership skills to solve the Jammu and Kashmir issue through constitutional means. The study is based on a mix of historical, descriptive, and analytical methods.*

**Keywords:** Jammu and Kashmir, Conflict, Jinnah, Muslim Conference, Leadership

## **Introduction**

According to the Constitution of India and the rules set by major political parties; interference in the matters of the states of India was not allowed. But the Muslim League and some other political parties always showed concern regarding their respective communities. The All-India Muhammadan Educational Conference drew the attention of the Maharaja of Kashmir towards the illiteracy among the Muslims of Kashmir.<sup>1</sup> In September 1913, Allama Muhammad Iqbal along with the members of the All-India Muhammadan Educational Conference met with the Maharaja of Kashmir in Srinagar.<sup>2</sup> The sole agenda of this deputation was to provide modern education to the Kashmiri Muslims. In 1921, once again a deputation led by Allama Iqbal along with some noted Muslims tried to convince the Maharaja of the need of modern education to his Muslim subjects; unfortunately, he did not show much interest in this matter.<sup>3</sup> In 1931, the All-India Kashmir Committee was formed, and Iqbal played a vital role in its formation and became its president in 1934. This organization used to hold poetical symposia in which Iqbal

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<sup>1</sup> Mir Abdul Aziz, *Freedom Struggle in Kashmir* (Lahore: Research Society of Pakistan, 2000), 121.

<sup>2</sup> Iqbal Sing Sevea, *Political Philosophy of Muhammad Iqbal* (Cambridge: Cambridge University Press, 2012).

<sup>3</sup> Kishwar Sultana, *Allama Muhammad Iqbal: As A Politician* (Islamabad: National Book Foundation, 1988).

recited some of his famous poems and couplets on Kashmir. He also played a vital role in the formation of the new organization, All India Kashmir Muslim Conference<sup>4</sup>; which was an initiative of Lahore-based Kashmiris. He became the general secretary of this newly established organization. The main objective of this organization was to work for the betterment of the Kashmiri Muslims, whether they are inside the State or belong to the diaspora.

### **Role of Muslim League in Kashmir Affairs**

Quaid-i-Azam Muhammad Ali Jinnah was fully aware of the atrocities of the Kashmiri Muslims. In 1924, he visited Kashmir for the first time. In the 15<sup>th</sup> annual session of the Muslim League on the May 24-25<sup>th</sup>, at the Globe Theatre, a delegation led by the president of Anjuman-i-Taufiqul Islam from Kashmir met with Jinnah and the leadership of the Muslim League, drawing their attention toward the hardships and misfortunes faced by the Muslims of Kashmir. Jinnah took serious action and passed a resolution against the unsympathetic attitude of the Maharaja of Kashmir toward the Muslims. Under Jinnah's leadership, Muslim League passed Resolution No. XIII in its third sitting of the session as under:

That the All India Muslim League greatly deplores the continued unsympathetic and indifferent attitude of the Kashmir Darbar towards the political and educational needs and aspirations of the Muslims of Kashmir State, and a committee of the All India Muslim League be formed to find out ways and means for uplifting the poor and down-trodden and Muslim community of that State, and to bring home Lakshmi the bar the paramount necessity of providing special facilities of educating and to bring home Kashmir Darbar the paramount necessity of providing special facilities of educating the Muslims of the State and ameliorating their present helpless condition, and to give the Muslims of Kashmir, who form 95 percent

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<sup>4</sup> Aziz, *Freedom Struggle in Kashmir*, 122.

of the population of the State, their rightful place in the public service and in the administration of the State.<sup>5</sup>

This resolution was proposed by Pir Tajuddin and seconded by Mr. Muhammad Sadiq. The policy of the Muslim League was non-interference in the internal affairs of the native states. But when the question of safety, national aspirations and the demand of the Muslims arose, the League expressed in favour of the Muslims.<sup>6</sup> Jinnah had continuously been receiving information about the atrocities of the Muslims in princely states. Later, Jinnah and his colleagues decided to form a new branch of the Muslim League which is called as All India States Muslim League. The main concern of this branch was to look after the matters of princely states where Muslims were in a considerable majority.<sup>7</sup> This was the first resolution passed under the charismatic leadership of Jinnah when there was practically no political awakening, in the modern sense of the term, in Jammu and Kashmir. In this early phase, Muslims of Kashmir did not have any political party or an association to raise voice in their favour. They were not even allowed to publish a newspaper.<sup>8</sup>

### **Political Consciousness in Kashmir**

From 1924 to 1931, the situation of Kashmir and Muslims went through many drastic changes. The Dogra regime manipulated their

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<sup>5</sup> Syed Sharifuddin Pirzada, *Foundation of Pakistan: All-India Muslim League Documents: 1906-1947* (Islamabad: NIHCR, 2007), 579.

<sup>6</sup> M. Rafique Afzal, *A History of All-India Muslim League 1906-1947* (Karachi: Oxford University Press, 2013).

<sup>7</sup> Aziz, *Freedom Struggle in Kashmir*, 149.

<sup>8</sup> Baibhaw Gahlaut, Jammu and Kashmir: Legal Position, Security Council Mediation and Future Prospect," *Commonwealth Law Bulletin* 40, no. 1 (2014/01/02 2014). <https://doi.org/10.1080/03050718.2013.864121>.



social, political, and religious freedom.<sup>9</sup> On October 14, 1924, the Viceroy Lord Reading visited Kashmir and Muslims decided to present a memorandum to him about the abject situation of the Muslims under the Dogra regime. In this memorandum they demanded:

- i) the property rights over their agricultural land;
- ii) increase in the number of Muslims in the State council;
- iii) due representation in services be given to Muslims;
- iv) a commission should be formed against the corruption of top-officials;
- v) scholarship for Muslim students;
- vi) forced labour should be abolished; and
- vii) illegal possession on the Muslims land should be rectified.<sup>10</sup>

This memorandum truly represented the plight of Kashmiri Muslims. After the death of Raja Ranbir Singh, Hari Singh ascended the throne in March 1926 with great royal pomp and show.<sup>11</sup> He proclaimed that from a religious point of view, he was Hindu, but as a ruler, he will ensure justice for all communities. With the passage of time, influenced by his upper-class advisors who had spoiled his legacy and turned the political system into an oligarchy. He turned against the Kashmiri Muslims and forbade their recruitment in the army. These policies created a feeling of resentment among the Muslims against the then government. Maharaja was fully unaware of the rising wave of Muslim political consciousness. There was a

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<sup>9</sup> Simon Jones, "India, Pakistan, and Counterinsurgency Operations in Jammu and Kashmir," *Small Wars & Insurgencies* 19, no. 1 (2008/03/01 2008). <https://doi.org/10.1080/09592310801905736>.

<sup>10</sup> M. K. Bhasin and Shampa Nag, "A Demographic Profile of the People of Jammu and Kashmir 1. Population Structure," *Journal of Human Ecology* 13, no. 1-2 (2002/01/01 2002). <https://doi.org/10.1080/09709274.2002.11905524>.

<sup>11</sup> Aziz, *Freedom Struggle in Kashmir*, 93.

wide gap between Maharaja and his subjects, especially, the Muslims.

On June 9, 1931, Chaudhary Ghulam Abbas formed a deputation to meet with Prime Minister Wakefield and apprised him of the demands of the Muslims. He warned the government about the continuous sacrilege of the Holy Quran in the State.<sup>12</sup> Just a day before this meeting, around thirty thousand Muslims protested against the sacrilege of the Holy Quran and the state's policies.<sup>13</sup> This situation turned into a religious movement which had a prime objective of "freedom". On July 13, 1931, an upsurge occurred in the state which turned into chaos. There were incidents of killings and arrests widely reported in the State; such brutal methods had been adopted by the State to crush the freedom struggle of the Muslims.<sup>14</sup>

In October 1932, Sheikh Abdullah from Kashmir formed the first Muslim political party, the All-Jammu and Kashmir Muslim Political Conference. The Kashmiri Muslims were constantly receiving moral and material support from the Muslims of British India and Punjab.

### **Jinnah and the Kashmiri Muslims**

After the Lahore Resolution on March 23, 1940, the Muslims of India had a clear task to achieve a separate state on the basis of the Two Nation Theory. According to Sikandar Hayat, "On March 23, a resolution to that effect was moved and adopted. Jinnah's formula became the 'creed' of the Muslim League soon."<sup>15</sup>

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<sup>12</sup> Aziz, *Freedom Struggle in Kashmir*, 103-10.

<sup>13</sup> Alastair Lamb, *Incomplete Partition: The Genesis of the Kashmir Dispute 1947-1948*, (Karachi: Oxford University Press, 2001), 113-17.

<sup>14</sup> Aziz, *Freedom Struggle in Kashmir*, 104.

<sup>15</sup> Sikander Hayat, *The Charismatic Leader: Quaid-i-Azam Muhammad Ali Jinnah and the Creation of Pakistan* (Karachi: Oxford University Press, 2008), 243.

The idea of a separate state for the Muslims was quite attractive to them and they acknowledged it as the ultimate solution to their atrocities. It received large support from different factions of the Indian Muslim society. This move also bolstered the movement of Kashmiri Muslims. On October 25, 1940, a discriminatory law against Muslims was passed under which they were prohibited to keep or carry firearms.<sup>16</sup>

On January 26, 1941, Chaudhary Ghulam Abbas resigned from the National Conference in despair and decided to reorganize the Muslims Conference. From 17 to 19 April 1941, the annual session of the Muslim Conference was held in Jammu. It was inaugurated by Maulana Zafar Ali Khan, the renowned editor of *Zamindar* from Lahore. In this session, the Muslim Conference announced to support the All-India Muslim League and its policy of a separate homeland for Muslims.<sup>17</sup>

It became evident to all that the Muslim Conference was following the policies of the Muslim League. Jinnah and the Muslim Conference did not accept that Kashmir was a Hindu state and believed that the destiny of the Kashmiri Muslims could not be left at the mercy of Hindu India.<sup>18</sup> If an attempt was made against Muslim interests in general, the Muslims of the state would challenge it. Due to this the National Conference of Sheikh Muhammad Abdullah and the Muslim Conference of Chaudhry Ghulam Abbas was on adverse treks.<sup>19</sup>

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<sup>16</sup> M. K. Bhasin and L. P. Singh, "Body Composition of Five Population Groups of Jammu and Kashmir, India," *Journal of Human Ecology* 2, no. 2 (1991/05/01 1991). <https://doi.org/10.1080/09709274.1991.11907719>.

<sup>17</sup> Chaudhry Ghulam Abbas, *Kashmakash* (Urdu), (Muzaffarabad: Kashmir Liberation Cell, 2001), 293.

<sup>18</sup> Aziz, *Freedom Struggle in Kashmir*, 123.

<sup>19</sup> Abbas, *Kashmakash* (Urdu), 203.

In April 1942, Muslim Conference again supported the demand of Pakistan and after this, they were constantly a target of the Kashmiri Hindus, backed by the Congress and Hindu Mahasabha. National Conference made an alliance with Maharaja against the Muslim Conference and Muslim League and tried to crush their activities,<sup>20</sup> but the Muslim youth in Kashmir hailed the League policy and the slogan of Pakistan. The National Conference of Sheikh Muhammad Abdullah denounced the demand of Pakistan.

In the background of all this, there lies a series of episodes. On April 19, 1940, Prof. Muhammad Amin Shamim, brother of K. H. Khurshid, stated in favour of the Lahore Resolution. He assured that Muslim students of Jammu and Kashmir would fight along with Jinnah and the Muslim League for the creation of Pakistan.<sup>21</sup> On March 01, 1941, Punjab Muslim Students Federation organized a 'Pakistan Conference' at Islamia College, Lahore, which was presided by Jinnah. At this conference, Muslim students from Jammu and Kashmir were invited. The collaboration between the Muslim Conference, Kashmiri students, and Muslim League had started at every level. On June 21, 1940, the Muslims Students Federation in Jammu and Kashmir called the "Pakistan Conference" and condemned the idea of *Akhand Bharat*. The General Secretary of the Kashmiri students was K. H. Khurshid, who later on became the Private Secretary of Jinnah in 1944.<sup>22</sup> The Dogra regime Prime Minister of Kashmir, Kailash Narayan Haksar, tried to suppress the Muslim Conference and pro-League activists. Muslim Student Union protested against the pro-Hindu policies of the Haksar, such as restraining the leaders of the League in Kashmir and welcoming the pro-Congress journalists as the guest of State. In May 1942, on

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<sup>20</sup> Prithvi Ram Mudiam, "The India-Pakistan Dispute over Jammu and Kashmir and the United States," *Global Change, Peace & Security* 15, no. 3 (2003/10/01 2003). <https://doi.org/10.1080/0951274032000124974>.

<sup>21</sup> Aziz, *Freedom Struggle in Kashmir*, 128.

<sup>22</sup> Abbas, *Kashmakash* (Urdu), 205.

the appeal of Jinnah for funds, Muslims of Kashmir sent some funds to the Muslim League.<sup>23</sup>

On April 21, 1943, Muslim Student Union observed Iqbal Day in Islamia High School and paid tribute to the Poet of the East. The students from Sri Pratap College collected an amount of fifty rupees and sent it to Jinnah along with a heart-touching letter explaining that the Muslim students were poor and could not collect a huge amount for donation. This letter was deeply felt by Jinnah, and he responded, “Why do you say that you are poor? I thank you for your efforts and wish you success.”<sup>24</sup>

In November 1943, the annual session of the Punjab Muslim Students Federation was called in Jalandhar and was attended by Jinnah. A delegation from Kashmir under the leadership of Chaudhry Ghulam Abbas, the President of Muslim Conference and K.H. Khurshid, the General Secretary of the Muslim Students Union, attended this annual session. Jinnah bestowed a special banner, inscribed with a crescent, to K.H. Khurshid. In May 1944, Jinnah visited Kashmir and K.H. Khurshid met him as the correspondent of Orient Press.<sup>25</sup> On May 8, 1944, Jinnah addressed the Muslim Conference and Muslim Students’ Federation:

If the Kashmiri Muslims want to achieve their ends, they should muster under one observation and one banner. Our policy is of non-interference in states, but when we see that Muslims of any state are terrorized, we cannot remain idle and indifferent spectators. It will be our duty to come to your rescue because all Muslims whether they live in China or Palestine are brothers. I want your ruler to allow his people to manage their affairs. In this question, we will not interfere, but if the Muslims of this state are maltreated then certainly Muslim India will come to their help.<sup>26</sup>

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<sup>23</sup> Aziz, *Freedom Struggle in Kashmir*, 129.

<sup>24</sup> Aziz, *Freedom Struggle in Kashmir*, 148.

<sup>25</sup> K. H. Khurshid, *Memories of Jinnah*, (Karachi: Oxford University Press, 1990), 04-11

<sup>26</sup> *The Dawn*, May 10, 1944.

At the invitation of the National Conference and Muslim Conference, Jinnah reached Jammu on May 9, 1944. At this eve the Muslim League had become a popular party and the slogan of *Pakistan Zindabad* had become popular among the people Jammu and Kashmir. Muslims of Kashmir warmly welcomed him.<sup>27</sup> On the next day, as Jinnah entered Kashmir, there were clashes between the National Conference and the Muslim Conference. Ismail Sheikh received news of Jinnah getting injured and rushed towards the rest house where Jinnah had been staying. Sheikh Muhammad Abdullah had tried to prove that the only real party in Kashmir was the National Conference. This created a very bad impression on Jinnah, and he observed that Sheikh Abdullah wanted to oppress other parties in an autocratic manner. Jinnah thanked the National Conference for receiving him as the leader of the All-India Muslim League and the same evening Jinnah addressed the Muslim conference and said, “The Allah of Muslims is one, their Prophet and Quran are the same and therefore, their voices should also be one.”<sup>28</sup>

On May 23, 1944, Jinnah talked to Kashmiri journalists in Srinagar, thanking the Kashmiri press for serving the public interest. Furthermore, he stressed upon the unity of the Muslims and advised them to avoid sectarian issues. When he was asked a question on whether Muslims alone could achieve the objective of responsible government in Jammu and Kashmir, he answered, “I think they can...if each community were to organise itself.” He suggested that Muslims should secure the rights of minorities in Jammu and Kashmir as well.<sup>29</sup>

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<sup>27</sup> Aziz, *Freedom Struggle in Kashmir*, 170.

<sup>28</sup> *Hamdard Newspaper*, May 11, 1944.

<sup>29</sup> *The Dawn*, May 25, 1944.

On June 19, 1944, Jinnah delivered a comprehensive speech at the session of the Muslim Conference in Srinagar. The proceedings started after a short speech of Chaudhary Ghulam Abbas, the president of the Conference.<sup>30</sup> He expressed the gratefulness and fullest support of the Kashmiri Muslims to Jinnah and the demand for Pakistan. Speaking in Urdu, he said:

I cannot find proper words to express my feelings of gratitude for the honour done to me. I have been in Kashmir for more than a month and in spite of the fact that I came here to take a rest after continuous work for 8 years, I have been seeing Muslim brethren, who came to see me. I have found that 99 per cent of the Muslims of the Jammu and Kashmir regard the Muslim Conference as their representative organization.<sup>31</sup>

In this speech, he indirectly hinted at that the Muslims of Kashmir had to organize their strength under the banner of Muslim Conference. This session was attended by around a hundred thousand people from all classes and creeds. Further, he stressed upon the unity of the Kashmiri Muslims and argued that without unity they wouldn't be able to achieve their goals.<sup>32</sup> He pointed out to the rift between the Muslim Conference and National Conference. He added, "Does it not mean that you have divided the Kashmiri Muslims and blocked progress? This is impossible and you can never succeed in this way." He cited the example of Congress which adopted this policy for forty years and failed to deliver. Further, he urged, "I say to the Hindus in minorities here that the Muslims will always treat them justly and generously." He encouraged the Muslims to work hard, "responsible government is not a cake which the Maharaja and his advisors would bring to you and ask you to eat. You must try your best to achieve your end. I and the All-India Muslim League are at your back and you enjoy our fullest moral

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<sup>30</sup> Abbas, *Kashmakash* (Urdu), 217.

<sup>31</sup> Khurshed Ahmad Yusufi, *Speeches, Statements & Messages of Quaid-e-Azam*, (Lahore: Bazm-i-Iqbal, 1996), 1905-1906.

<sup>32</sup> Aziz, *Freedom Struggle in Kashmir*, 151.

support.”<sup>33</sup> Now, Jinnah openly announced the moral and political support for the Muslim Conference. This was, later on, became the prime reason for the rift between Jinnah and Sheikh Abdullah. He concluded the session in these remarks, “we pray for your success, and you should pray for ours. I would advise you in every matter I can, because it is my duty to serve you.... I have no doubt that success will be yours.”<sup>34</sup>

On the same day, he addressed the Muslim Students’ Union and advised them, “I would advise my young friends to pay attention to your studies first, and not to take part in practical politics.”<sup>35</sup> Moreover, he advised them to work with Muslim Conference and carry its message door to door to their fellow Kashmiri Muslims. During his stay in Kashmir, Jinnah had constantly been writing to Gandhi and C. Rajagopalachari on the issue of the Rajagopalacharia Formula. This correspondence, later, paved the way for the Jinnah-Gandhi talks in Bombay. On July 25, 1944, before he departed from Kashmir, he issued a press statement:

I have been here now for some time, and I have seen all classes of people, and had the opportunity of hearing different views and also press reports which are unkind and unjust; but, on the whole, I am very thankful for the kindness that has been shown to me, especially by the Muslims.<sup>36</sup>

He again firmly conveyed that it was not the policy of League to interfere in the matters of states. But League and Indian Muslims were deeply concerned with the grave issues faced by the Kashmiri Muslims.<sup>37</sup> Jinnah expressed his grief, “I must say that even a casual visitor cannot help but be shocked to see the condition of the people in the State even in the matter of elementary needs.” More

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<sup>33</sup> Yusufi, *Speeches, Statements & Messages of Quaid-e-Azam*, 1907.

<sup>34</sup> Yusufi, *Speeches, Statements & Messages of Quaid-e-Azam*, 1907.

<sup>35</sup> Yusufi, *Speeches, Statements & Messages of Quaid-e-Azam*, 1907-1908.

<sup>36</sup> Yusufi, *Speeches, Statements & Messages of Quaid-e-Azam*, 1914.

<sup>37</sup> Abbas, *Kashmakash* (Urdu), 220.



interestingly, during this visit Maharaja remained away and did not meet Jinnah. Another regret expressed by Jinnah was, “I, after careful consideration, suggested that Muslims should organise themselves under one flag and one platform, not only that my advice was not acceptable to Sheikh Abdullah, but he indulged in the language of most offensive character in attacking me.”<sup>38</sup> Sheikh Abdullah turned into an anti-Jinnah fanatic and he suggested in one of his speeches, “If Jinnah does not give up the habit of interfering in our politics, it will be difficult for him to go back in an honourable manner.” This attitude also infuriated Jinnah and he prolonged his Kashmir visit; he stayed in Kashmir for almost 78 days and took a keen interest in the affairs of Kashmiris.<sup>39</sup> He concluded this second journey by advising the Kashmiri Muslims to remain non-violent and struggle peacefully to achieve their goals.<sup>40</sup>

## Conclusion

During these two historically significant visits, Jinnah carefully studied the whole political situation of Jammu and Kashmir. Furthermore, he examined the socioeconomic conditions of the Muslim community in Kashmir. He was disappointed with the Dogra rule on treating the Muslims miserably, especially some prominent factions of the Kashmiri Muslims. Jinnah found the political rivalry between the Muslim Conference and National Conference unsettling. After hearing the arguments of prominent Kashmiri leaders, he finally decided to support the cause of the Muslim Conference. He believed that the policy of the National Conference was against the interests of Kashmir. He tried his level best to unite the Kashmiri Muslims under one banner, but the clashes between the Kashmiri leaders became a great hurdle to this.

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<sup>38</sup> *The Dawn*, July 26, 1944.

<sup>39</sup> Aziz, *Freedom Struggle in Kashmir*, 153.

<sup>40</sup> Abbas, *Kashmakash* (Urdu), 222.

Jinnah likened the National Conference with the Indian National Congress, as both had been working against the interests of the Muslims. Sheikh Abdullah tried to convince Jinnah and argued that his party was the only true party to represent the Muslims of Kashmir; however, his organization wanted the support of Hindu and Sikh elements in Jammu and Kashmir. Jinnah disapproved of his method which displeased Sheikh Abdullah and he openly denied accepting the political methodology of Jinnah. He arranged meetings against Jinnah, calling his activities against the state and democracy. In most of his public speeches, he used derogatory language against Jinnah and Muslim Conference. His irresponsible and irascible behaviour was widely criticised as Sheikh Abdullah himself was the person who invited Jinnah for arbitration between the divided factions of the Kashmiri Muslims. Sheikh Abdullah demanded that Jinnah should declare the National Conference as a sole representative of the Kashmiris and abandoned the support of the Muslim Conference. It was impossible for Jinnah to meet such conditions which went against his main stance in Indian politics, especially against the Two-Nation Theory. During his visit to Jammu and Kashmir, the Hindu press played a negative role and launched a propaganda against his presence in Kashmir. Apart from these bitter realities and incidents these visits created political awareness among the Kashmiri Muslims. Through his leadership skills and political prowess, he restructured the freedom struggle of Kashmir.



# Kashmir Conflict: Coverage of Human Rights Violation by Dawn, The New York Times, and The Indian Express

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# **Kashmir Conflict in Media: Coverage of Human Rights Violation by *Dawn*, *The New York Times*, and *The Indian Express***

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## **Abstract**

*Media is an important force in conflict situations owing to its capability to persuade adversaries and influence their actions. The issue of whether this impact is positive or negative is resolved by the nature of the journalism offered to the parties in conflict. Media shapes people's thought process: it influences public perception on specific issues by using the framing and priming techniques. By using framing theory, this article investigates how three leading newspapers (*Dawn*, *The New York Times* and *The Indian Express*) frame the issue of human rights violation in Kashmir in their respective news stories and how these diverging coverage methods influence public opinion. Furthermore, by using the content analysis*

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*method, it is intended to analyze how much importance the international community gives to the world press in making sense of the violence in Kashmir.*

**Keywords:** Human Rights Violation, Kashmir, Media, Conflict

## **Introduction**

Human rights violations in Kashmir by the Indian armed forces have been a predicament for peace in South Asia.<sup>1</sup> India seeks a merger of Kashmir with the Indian administration and has used force to control people of Kashmir.<sup>2</sup> Kashmiris have been resisting against all efforts and force tactics used by India<sup>3</sup> in order to secure their political rights and the right to self-determination as enshrined in the UN resolutions of 1948-49.

Human rights violations<sup>4</sup> accord when a person or state abuses the basic rights to life, movement, equality before the law, fair trial, freedom of expression, freedom of religion etc. Human rights violation has been a constant and major issue since the creation of India and Pakistan in 1947 as Kashmir, in addition to becoming a boundary conflict between the two,<sup>5</sup> has become a military state where people live under fear.<sup>6</sup> India has also indulged in torture and

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<sup>1</sup> M. A. T. Butt, & G. Majeed, "A View on the Issue of Occupied Kashmir (2008-2018): Disputed Territory," *Journal of the Research Society of Pakistan*, 57 no. 3 (2020): 237.

<sup>2</sup> P. Bakaya, P & S. Bhatti, "Kashmir Conflict: A Study of What Led to the Insurgency in Kashmir Valley & Proposes Future Solutions," *Swords and Ploughshares*, 16 (2005): 1-4.

<sup>3</sup> World Health Organization, Office of the United Nations High Commissioner for Human Rights, *the Right to Health. Fact Sheet No, 31* (2008).

<sup>4</sup> H. Hamsir, & N. Sastrawati, "Blurred the Meaning of the Word Violation Becomes the Meaning of Crime in the Perspective of Human Rights Violations, (2021).

<sup>5</sup> Aushaq Dar, "Inter-community Relation in Kashmir," (doctoral dissertation) University of Kashmir, Srinagar, Kashmir. Disputed territory. *Journal of the Research Society of Pakistan*, 57 no. 3 (2015): 237.

<sup>6</sup> V. Schofield, *Kashmir in Conflict: India, Pakistan, and the Unending War* (Bloomsbury Publishing, 2021).

persecution of the Muslim community at large scale over the past seven decades.<sup>7</sup> These violation of rights have been covered by the media under different themes and frames; for example, the *Economist* (2003) reported that 1150 government buildings, 540 education institutions, 337 bridges and more than 11000 private buildings were completely devastated by the Indian forces.<sup>8</sup>

## Literature Review & Theoretical Framework

This study used framing theory on how the human rights violated in Kashmir were given coverage in the print media in *the Dawn*, *the New York Times* and *the Indian Express*.<sup>9</sup> Furthermore, the study utilizes framing theory to comprehend media coverage on the ongoing turmoil and killings in Kashmir.<sup>10</sup> Framing as a focal idea in the study of news media, goes back to Goffman (1974) who characterized edges as the standards of associations which oversee occasions in the social world. It provides a theoretical framework for media intervention in framing the situation on Kashmir and how the related circumstances have gained coverage.<sup>11</sup>

Prof. Zamir published an article where he said an enormous number of Kashmiris were killed by Indian security forces to control the rising situation after Burhan Wani's extrajudicial execution.<sup>12</sup> The

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<sup>7</sup> Edward Gargan, "Indian Troops are Blamed as Kashmir Violence Rises," *New York Times*, April 18, 1993.

<sup>8</sup> S. Narula, *Broken People: Caste Violence Against India's "untouchables."* (Human Rights Watch, 1999).

<sup>9</sup> S. Z. A. Shah, & K. Faqir, "Assessing the Framing of International Media on Kashmir Issue: A Comparative Analysis of "New York Times" and "The Guardian," *Global Media and Social Sciences Research Journal (GMSSRJ)*, 1 no. 1 (2020): 47-54.

<sup>10</sup> D. Berkowitz, "Who Sets the Media Agenda? The Ability of Policymakers to Determine News Decisions," *Public Opinion, the Press, and Public Policy*, 2 (1992): 81-102.

<sup>11</sup> E. Goffman, *Frame Analysis: An Essay on the Organization of Experience* (Harvard University Press, 1974).

<sup>12</sup> F. A. Leghari, & I. H. Qaisrani, *Pakistan's Low Yield Nuclear Weapons and Indian Option of Limited* (2020), 342-51.

protestors demanded for a peaceful and free Kashmir where the right of life could be secured.<sup>13</sup>

Kashmir valley has seen massive violations of human rights by Indian Army, Police, and Special Forces<sup>14</sup> since 1989. Scores of people lost their children, daughters, sisters, mothers, and women lost their husbands, becoming half widows. Thousands of houses and shops were burnt due to turmoil situations since Kashmir issue has started.<sup>15</sup> Many stories reported in media show that the Indian Army is involved in defilement of human rights, custodial deaths, disappearances, rapes and abuses of children.<sup>16</sup>

Framing theory used along with content analysis to analyze the news stories of *the Dawn*, *the New York Times* and *the Indian Express*<sup>17</sup> and how they give coverage to human rights violation in Kashmir. Content analysis<sup>18</sup> technique is used for collecting data for this study. For the purpose, frequency of the news stories of selected newspapers and the space given to them is to be considered from the front to back pages. Contents of two years from January 2016 to December 2017 have been selected for analysis. Purposive sampling technique is used because this study is limited to human rights

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<sup>13</sup> T. Hanitzsch, "Journalists as Peacekeeping Force? Peace Journalism and Mass Communication Theory," *Journalism Studies*, 5 no. 4 (2004): 483-95.

<sup>14</sup> H. A. Wani, A. Suwarta, & J. Fayeye, "Untold Stories of Human Rights Violations in Kashmir," *Educare*, 6 no. 1 (2013).

<sup>15</sup> A. H. Zargar, S. Ahmad, S. R. Masoodi, A. I. Wani, M. I. Bashir, B. A. Laway, & Z. A. Shah, "Vitamin D Status in Apparently Healthy Adults in Kashmir Valley of Indian Subcontinent," *Postgraduate Medical Journal*, 83 no. 985 (2007): 713-16.

<sup>16</sup> R. Sehgal, "Kashmir Conflict: Solutions and Demand for Self-determination," *International Journal of Humanities and Social Science*, 1 no. 6 (2011).

<sup>17</sup> D. Ray, *Frames in the US Print Media Coverage of the Kashmir Conflict* (2004).

<sup>18</sup> W.L. Neumann, *Social Research Method: Qualitative and Quantitative Approaches*, (2013).

violation in Kashmir.<sup>19</sup> Two categories have been designed for this research.<sup>20</sup> Major category is the loss of human rights and civil liberties in Kashmir and the secondary or minor category aligns the subjects of study, the Kashmiris, with news stories about extrajudicial killing and incarceration, crackdown on the freedom of expression and ban on media.<sup>21</sup>

To check the reliability of the information, a reliability test has been run in the SPSS. At first, we check the reliability in the SPSS after that coordinating the merits of reliability with the genuine

### Scale: ALL VARIABLES

#### Case Processing Summary

		N	%
Cases	Valid	150	91.5
	Excluded <sup>a</sup>	14	8.5
	Total	164	100.0

a. Listwise deletion based on all variables in the procedure.

#### Reliability Statistics

Cronbach's Alpha	N of Items
.749	3

**Cronbach's** alpha values that predict the consistency of our data that should relate with our qualities of the reliability harmonizing with the internal consistency values than our information filled is solid. First, we need to check that our data filled against *Dawn* is reliable and for that we have to run a reliability test. If the value falls above 0.7 then the data is reliable, and our value is 0.968 against the Stories of *the Dawn* news.

<sup>19</sup> J. S. Ovsiovtch, *Human Rights Coverage in the Media: A Quantitative Content Analysis*, (1993).

<sup>20</sup> S. M. Caliendo, M. P. Gibney, & A. Payne, "All the News that's Fit to Print?" *New York Times* coverage of human-rights violations. *Harvard International Journal of Press/Politics*, 4 no. 4 (1999): 48-69.

<sup>21</sup> I. U. Haq, & M. A. Dar, "Human Rights Violation in Kashmir," *European Academic Research*, 2 (2014).

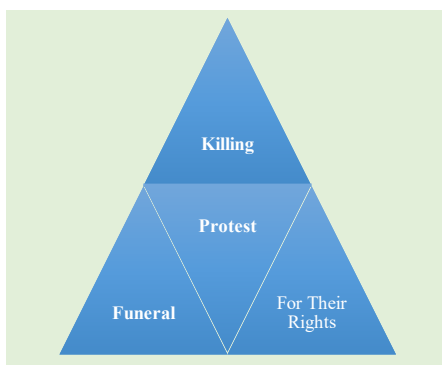


Reliability of the data mined in the SPSS is 0.749 which is also perfectly reliable data filled in the SPSS against the content analysis. The hypothesis is that the reliability measures will turn out to be the same for *Indian Express*, *the New York Times* and *the Dawn*.

## Data Analysis

This section analyzes the data coded in the news and what the frequency test said about the news coverage of the Kashmir issue. Firstly, the reliability of the data will be checked before proceeding further to frequency tests against the following variables of this research.<sup>22</sup>

- **First Analysis:** Check the variables availability with statistics in the frequency test 1-Extra Judicial Killing 2-Injured 3-Detention 4-Freedom of Expression 5-Torture 6-Curfew 7-Ban on Media
- **Second Analysis:** Secondly, we shall analyze the context of the news in the criteria below. Community of Kashmir is remonstrated in lower than three facet mostly on carnage of their loved ones.<sup>23</sup>



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<sup>22</sup> Mushtaq, *Psychological Impact of Human Rights Violation on Kashmiri People* (Aligarh Muslim University, 2016).

<sup>23</sup> T. Joseph, "Kashmir, Human Rights, and the Indian Press," *Contemporary South Asia*, 9 no. 1 (2000): 41-55.

On the funeral of a person slayed and for their rights and independence because they want their land to be self-governing and free from Indian army with their violation.

### **Source of the News Reporting and Source within News**

At next stage we need to analyze that what was the source of the news reporting Official, Army, Police, Witness, and Use of Force and who is reporting the information; News Agency, Reporter, Foreign Media Report, Monitoring Desk or Any other Source<sup>24</sup> And the most important is that which media channel among *The New York Times*, *Indian Express* or *Dawn* reported that news on priority.

### **Results**

Sample of 50 contents of *Dawn*, *Indian Express* and *The New York Times* using pilot study of the newspapers and rest of 150 newspapers stories were analyzed with the help of the SPSS software.

#### ***R Q 1: Which newspaper gives more coverage of human rights violation in Kashmir?***

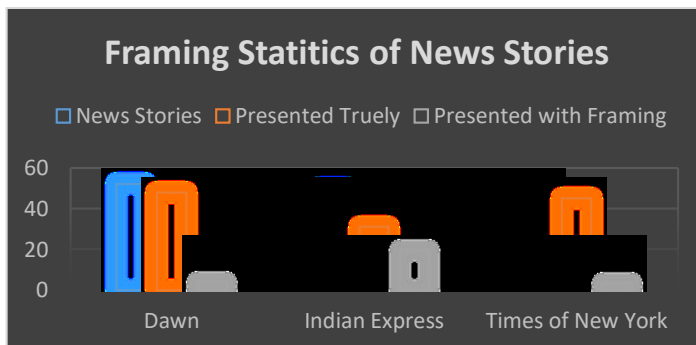
Data was collected from newspapers that were covering aspects of the coverage of these three newspapers with different regions of Kashmir. Around 200 news stories collected of three newspapers and the material was extracted.<sup>25</sup> As per News Stories' coverage, there were 52 stories that were being framed by the *Dawn*, 48 covered by *The New York Times* and 50 stories about the Kashmir were given coverage by the *Indian Express*. It is concluded that *Dawn* is covering the maximum number of stories, compared to *The New York Times* and *The Indian Express*.

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<sup>24</sup> M. A. T. Butt, & G. Majeed, "A View on the Issue of Occupied Kashmir (2008-2018)," (2020)

<sup>25</sup> A. Remes, "Kashmiriyat: Culture, Identity and Politics," Bachelor's Thesis, Leiden University, 2017, 10.

Descriptive statistics tests of the newspapers content revealed the fact that India is utilizing framing concept more in seeking their concerns towards Kashmir occupation with respect to the stories covered by *The New York Times* and *Dawn* were not presented in frames. All the stories were presented with its true picture as it exists.<sup>26</sup>



***R Q 2: Which newspaper Published maximum information about human rights violation in Kashmir?***

*Dawn* gives more coverage and more information about human rights violation in Kashmir indicated in our results to be more than 50%. Print Media of *Dawn* is talking about the facts about killings in Kashmir as compared to *The Indian Express*. In Indian print media more injured and less killings were reported as compared to *The New York Times*. It means *The Indian Express* framed a lot of contexts toward seeking their own concerns. At the end, the most important section was content analysis of all variables. Given in our investigation that how these three newspapers only government based medias appointed at the Kashmir had been writing on the below elucidated points.<sup>27</sup>

<sup>26</sup> M. A. A. Khan, "Impacts of Climate Change on the Human Rights of Displaced People: Bangladesh Perspective," (Doctoral Dissertation, Western Sydney University, 2015 (Australia).

<sup>27</sup> M. Khan, "Kashmir Dispute and the Prospects of India-Pakistan Peace Process," *NDU Journal*, 2 (2008).

The results resembled with the literature that there is exclusive relationship between the factors involved of the fact whether positive or negative. It is concluded that if news stories of the Pakistani media *Dawn* increases than definitely with increase in protesting about the different aspects' measurement in the Kashmir. In other sense *Dawn* is measuring more about all the issues with all aspects more in the people of Kashmir and giving more importance to the coverage of the issues in Kashmir. It can be translated as *Dawn* is printing more about the news stories' issues inclusive of killing and protest stories about the people of Kashmir. But it is very weak relation almost negligible among news reporters of *The Indian Express* and news stories in the people of Kashmir. It could be interpreted as Indian media is giving less importance to the issues of the people of Kashmir. But the American media is neutral about Kashmir as it is a third-party judge that is willing to make peace in the region.<sup>28</sup>

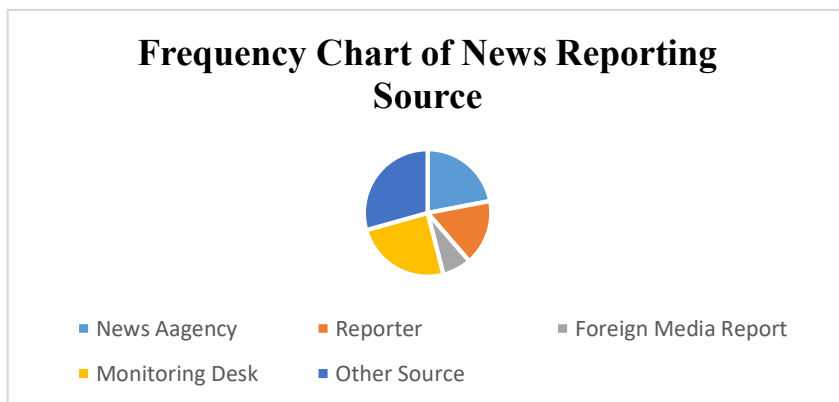
## Discussion

These were about source of news 33 News Agencies, 25 News Reporters, 11 Foreign Media Report, 37 Monitoring Desks and 44 were reported by the anonymous sources who had reported the news. It was revealed that monitoring desk was found to be reporting the news stories mostly as because of being available at most of the points at all times.<sup>29</sup>

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<sup>28</sup> Zargar, et.al., "Vitamin D Status in Apparently Healthy Adults in Kashmir Valley of Indian Subcontinent," 713-16.

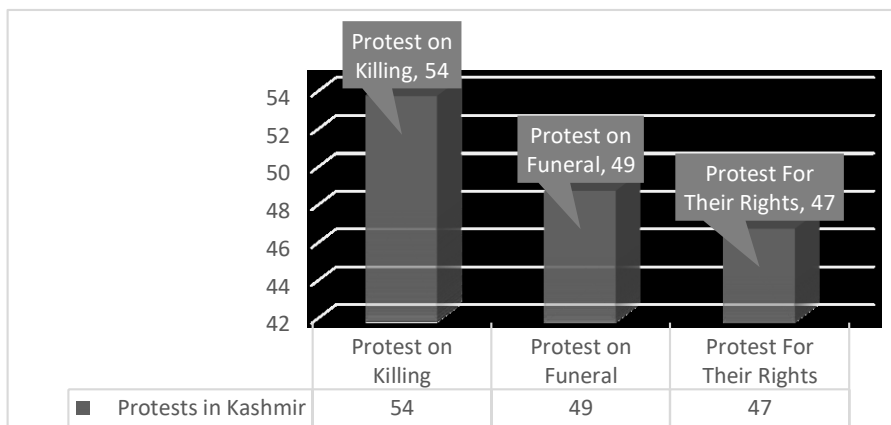
<sup>29</sup> I. U. Haq, & M. A. Dar, "Human Rights Violation in Kashmir," *European Academic Research*, 2 (2014).



While comparing with the monitoring desk, news were reported from other sources which were not confirmed or mentioned properly in the print media parallel to the Monitoring Desk. After getting tips from the monitoring desk and anonymous sources, news agencies and their reporters were mostly reporting the news which was found to be almost equivalent with these. It is hence concluded that most of the issues were aborted without given importance whereas only 50% were given importance by the media. Finally, the foreign media reporting about the killings and other movements such as protests in Kashmir, the international media was giving less importance to the Kashmir issues. It is because only these three got proper independence by the Indian Army and that is the very reason, they were reporting more news stories than other media outlets.<sup>30</sup>

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<sup>30</sup> Hamsir, & Sastrawati, “Blurred the Meaning of the Word Violation Becomes the Meaning of Crime in the Perspective of Human Rights Violations.”

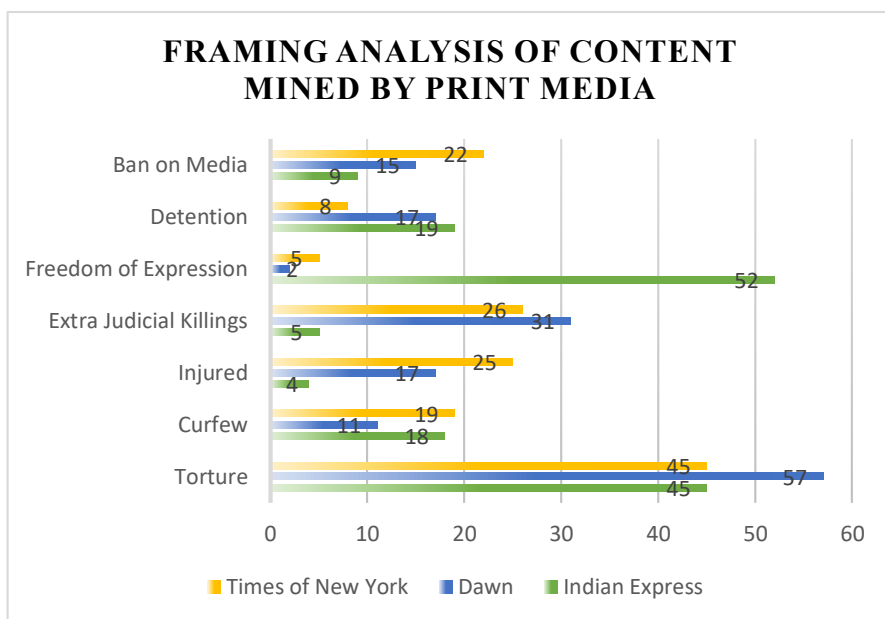


## Protests in Kashmir

It is a known fact that armed Indian forces have been deployed for more than seventy years are using force against Kashmiris. Hence use of force was the next source within the news which reported the stories. Sources used to corroborate the news stories were mostly official as the newspapers reporters were stationed or transferred at Kashmir by taking approval from their respective governments.<sup>31</sup> However, the army, the police and other witnesses were reporting cases very rarely. While matching these statistics with seven points to know that the above statistics had been detected that the news contexts mostly were set about killing of the people of Kashmir, who were mostly Muslims. They were killed mostly at protest gatherings or processions. Statistics about the killing on the protest were 54. The quantity of the killings at the protests was 49. And occasionally they were protesting for their rights about their independence from Indian forces with a quantity of 47. At last killings were observed more times than protesting was.<sup>32</sup>

<sup>31</sup> M. Alfini, "Human Rights Framing in US Newspaper Coverage of the Sochi Olympic Preparations," *ELON Journal of Undergraduate Research in Communications*, 6 no. 2 (2015).

<sup>32</sup> R. Chowdhary, *Jammu and Kashmir: Politics of Identity and Separatism* (Routledge India, 2015).



Mostly news reported about violence of selected three newspapers as extra judicial killings by *Dawn* while others did not. Seven types of violence reported by selected newspapers were presented in different numerical statuses.<sup>33</sup>

Explaining the qualities, we are inferring the constructive relationship with Pakistan media revealed that there exists resentment in the general population of Kashmir. Contrary to that, Indian media, with which the relationship of Kashmiris is exceptionally weak, implies that there had not been any critical reporting by Indian media reporters. The reports of human rights violation were either not explained by the Indian media altogether or implied that there is nothing serious to worry about the general population of Kashmir as we realize that go swing to the circumstance has no effect on increments of melancholy may not

<sup>33</sup> Wani, Suwirta, & Fayeye, "Untold Stories of Human Rights Violations in Kashmir."

build estimation of Indian media in light of the fact that the estimation of the connection is close to a separation point. As per the announcement of Indian press media, Kashmir is a part of India.<sup>34</sup>

Through methodology, researcher want to check the ground reality and to find out the triangular coverage aspects of the Kashmir covered by the officially deputed media from three countries.<sup>35</sup> The research reveals the actual picture by content analysis of the news stories of these three-print media as to which one is framing truth and which ones are framing untruths.

Running a descriptive statistics against these values, it was found that the print media were framing numerous stories about Kashmir under the framing technique; however the content presented for public consumption has been versatile. The test of descriptive statistics mentioned above has been completed by comparing the news reports of the three selected newspapers for this study.

## **Conclusion**

This research analyzed the coverage of human rights violation in Kashmir through the news stories appeared in the *Daily Dawn*, *The New York Times* and *The Indian Express* from 2016 to 2017. One of the major findings of this study is that the nature of coverage of respective newspapers regarding the human rights violation stories of Kashmir diverge from one another; for example, the *Daily Dawn* covers more stories on this issue while others not so much. By focusing on the coverage of violence and conflict, this study is a significant contribution to media and conflict studies.

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<sup>34</sup> Sehgal, "Kashmir Conflict".

<sup>35</sup> Ray, Frames in the US Print Media Coverage of the Kashmir Conflict."





# Prevalence of Borderline Personality Disorder among University Students in Peshawar, Pakistan

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# **Prevalence of Borderline Personality Disorder among University Students in Peshawar, Pakistan**

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## **Abstract**

*Borderline personality disorder is a disorder which affects one's cognitive emotion regulation, interpersonal effectiveness and reduces distress tolerance. The objective of this study is to find out the prevalence of borderline personality disorder among the university students for which a public sector university was selected in Peshawar. To achieve this purpose, a survey was conducted by using questionnaire comprised of demographic factors i.e., gender, socioeconomic status, age while Maclean screening instrument of borderline personality disorder was used (MSI-BPD, 6 or >6). An estimated data of 578 undergraduate and graduate students was collected through convenient sampling technique. The data collected, was analyzed via SPSS-26. The result of study was that young adult male were (43.6%) and young adult women were (56.2%). While 1.7% belong to lower middle socioeconomic status, 96.7% belong to middle socioeconomic status and 1.6% were from upper socioeconomic status. While the prevalence of borderline*

*personality disorder was 32.2%. The age was divided into three groups of 18-21 years, 22-25 years, and 26-29 years. It was a point of concern that borderline personality disorder is rising among university students. University does not provide any counseling services to students or seminars related to mental health which may help them to handle their psychological problems. The present study is focused on the need of an early and effective intervention to minimize the risk factors of BPD in students.*

**Key words:** Borderline Personality Disorder, Prevalence, University Students, Maclean Screening Instrument, Scales.

## **Introduction**

University students, as they move from youth to early adulthood, frequently feel stress and sadness because they usually need to adjust to a new social point and identity, maintain personal connections, cope with finances, and pursue academic achievement.<sup>1</sup> During this stage of life, people are more susceptible to problems including emotional dysregulation, inappropriate conduct, lack of impulse control, drug or alcohol misuse, and even self-harm.<sup>2</sup> Studies confirm the high levels of stress these students experience,<sup>3</sup> and a comprehensive analysis found that despair among students varied from 10 to 85% (with a weighted mean prevalence of 30.6%).<sup>4</sup> A U.S research indicated that, in addition to depression,

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<sup>1</sup> Brandon Maser, Marlon Danilewitz, Eva Guérin, Leanne Findlay, and Erica Frank, "Medical Student Psychological Distress and Mental Illness Relative to the General Population," *Academic Medicine* 94, no. 11 (2019): 1781–91.

<sup>2</sup> Jean S. Peterson, "Presenting a Qualitative Study: A Reviewer's Perspective," *Gifted Child Quarterly*, 63, no. 3 (2019): 147–58.

<sup>3</sup> Ines Heinen, Monika Bullinger, and Růya-Daniela Kocalevent, "Perceived Stress in First Year Medical Students - Associations with Personal Resources and Emotional Distress," *BMC Medical Education* 17, no. 1 (2017).

<sup>4</sup> N Ibrahim, A K. Dania, E K. Lamis, A H. Ahd and D Asali, "Prevalence and Predictors of Anxiety and Depression among Female Medical Students in King Abdulaziz University, Jeddah, Saudi Arabia," *Iranian Journal of Public Health* 42 (2013): 726.

undergraduate sample had suicidal thoughts i.e. 24%, and 9% had tried suicide.<sup>5</sup> Borderline Personality Disorder (BPD), which often manifests throughout adolescence and young adulthood, is a significant risk linked to suicidality.<sup>6</sup>

The Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5) states that BPD is characterized by "a marked impulsivity beginning by early adulthood and present in a variety of contexts as well as chronic pattern of instability in mutual relationships, self-image, and affects."<sup>7</sup> BPD is frequently connected with suicide attempts because to its fluctuating moods, impulsivity, and aggressive conduct.<sup>8</sup> BPD is also directly related to depression<sup>9</sup> and inadequate social support.<sup>10</sup>

BPD is frequently connected with suicidal attempts because of fluctuating moods, impulsivity, and aggressive conduct.<sup>11</sup> BPD is

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<sup>5</sup> C H. Liu, C. Stevens, S. H. Wong, M. Yasui and J. A. Chen, "The Prevalence and Predictors of Mental Health Diagnoses and Suicide among US College Students: Implications for Addressing Disparities in Service Use," *Depression and Anxiety* 36 (2019): 8-17.

<sup>6</sup> J R. Peters, B. T. Upton and R A. Baer. "Brief Report: Relationships between Facets of Impulsivity and Borderline Personality Features," *Journal of Personality Disorders* 27 (2013): 547.

<sup>7</sup> "Apa PsycNet." American Psychological Association. American Psychological Association. Accessed November 2, 2022. <https://psycnet.apa.org/record/2013-14907-000>.

<sup>8</sup> M M. Rizk, T. H. Choo, H. Galfalvy, E. Biggs, B. S. Brodsky, M. A. Oquendo and B. Stanley, "Variability in Suicidal Ideation is Associated with Affective Instability in Suicide Attempters with Borderline Personality Disorder," *Psychiatry* 82 (2019): 173-78.

<sup>9</sup> N. Wongpakaran, T. Wongpakaran, V. Boonyanaruthee, M. Pinyopornpanish and S. Intaprasert, "Comorbid Personality Disorders among Patients with Depression," *Neuropsychiatric Disease and Treatment* (2015): 1091-1096.

<sup>10</sup> C. Bennett, G. A. Melvin, J. Quek, N. Saeedi, M. S. Gordon and L. K. Newman, "Perceived Invalidation in Adolescent Borderline Personality Disorder: An Investigation of Parallel Reports of Caregiver Responses to Negative Emotions," *Child Psychiatry & Human Development* 50 (2019): 209-221.

<sup>11</sup> K. B. Angstman, A. Seshadri, A. Marcelin, C. A. Gonzalez, G. M. Garrison and J. S. Allen. "Personality Disorders in Primary Care: Impact on Depression

clearly associated with depression<sup>12</sup> and inadequate social support.<sup>13</sup> The majority of young people with persistent psychological symptoms are thought to have BPD.<sup>14</sup> Major BPD symptoms are thought to manifest in late adolescence or early adulthood. According to actual research, high-class university students who are the mostly worried, nervous, and depressed are more vulnerable.<sup>15</sup> Recent research suggests that BPD can occur in the typical college and university student population.<sup>16</sup>

Furthermore, among young individuals enrolled in university programs, the incidence of BPD is linked to low educational attainment and a significant risk of declining to enroll in classes.<sup>17</sup> According to the literature, BPD can develop into a major psychiatric problem and negatively impact a person's emotional functioning in all spheres of life, if it is not detected in its early stages. Additionally, study points to the possibility that BPD is more common in the community of young people. Therefore, the aim of the recent study was to ascertain the incidence of BPD among the

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Outcomes within Collaborative Care,” *Journal of Primary Care & Community Health* 8 (2017): 233-38.

<sup>12</sup> Wongpakaran, et.al “Comorbid Personality Disorders among Patients with Depression,” 1091-1096.

<sup>13</sup> Bennett, et. al. “Perceived Invalidation in Adolescent Borderline Personality Disorder,” 209-21.

<sup>14</sup> J. G. Gunderson, S. C. Herpertz, A. E. Skodol, S. Torgersen and M. C. Zanarini, “Borderline Personality Disorder,” *Nature Reviews Disease Primers*, 4 (2018): 1-20.

<sup>15</sup> M. H. Sheikh, S. Naveed, A. Waqas and I. T. Jaura, “Association of Adverse Childhood Experiences with Functional Identity and Impulsivity among Adults: A Cross-Sectional Study,” *PubMed Central* (2017): 6.

<sup>16</sup> R. Meaney, P. Hasking and A. Reupert, “Prevalence of Borderline Personality Disorder in University Samples: Systematic Review, Meta-analysis and Meta-regression,” *PloS One* 11 (2016): e0155439.

<sup>17</sup> R. L. Tomko, T. J. Trull, P. K. Wood and K. J. Sher, “Characteristics of Borderline Personality Disorder in a Community Sample: Comorbidity, Treatment Utilization, and General Functioning,” *Journal of Personality Disorders*, 28 (2014): 734.

population of young people enrolled in Pakistani institutions.<sup>18</sup> An essential consideration in the diagnosis of borderline personality disorder is age. According to Chanen's study, most young people by the age of 21 are suspected of having psychological problems.<sup>19</sup> While in early 20s and young adulthood, where BPD first becomes visible.<sup>20</sup> Additionally, studies indicate that BPD symptoms can also be seen throughout adolescence.<sup>21</sup> However, according to new study, BPD personality traits do not become apparent until maturity, and if it is not identified and treated in a timely manner, it can significantly disrupt a person's life patterns.<sup>22</sup> Gender is another significant component in prevalence studies. In the past, it was believed that females were more likely to have BPD than males, but in the year 2000, the results were mixed, and in following studies, there was no difference in the factor between males and females.<sup>23</sup>

## Methodology and Sampling

The present study is planned to find the prevalence of borderline personality disorder among university students for which 578 undergraduate students from Peshawar, Khyber Pakhtunkhwa took part in a randomised control experiment between March 2022 and June 2022. To participate in this study, the participant read an

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<sup>18</sup> H. Hayee, T. Raana and I. I. Haider, "Prevalence of Borderline Personality Disorder and its Association with Demographic Factors among University Students of Pakistan," *International Journal of Agricultural Extension*, 9 (2021): 29-34.

<sup>19</sup> A. M. Chanen, "Borderline Personality Disorder in Young People: Aare We There Yet?" *Journal of Clinical Psychology*, 71 (2015): 778-91.

<sup>20</sup> L. R. Moran, C. Kaplan, B. Aguirre, G. Galen, J. G. Stewart, N. Tarlow & R. P. Auerbach, "Treatment Effects Following Residential Dialectical Behavior Therapy for Adolescents with Borderline Personality Disorder," *Evidence-Based Practice in Child and Adolescent Mental Health*, 3 (2018): 117-28.

<sup>21</sup> Newton-Howes, G, L. A. Clark & A. Chanen, "Personality Disorder Across the Life Course," *The Lancet*, 385 (2015): 727-34.

<sup>22</sup> S. Thornton, "Supporting Students with Borderline Personality Disorder," *British Journal of School Nursing*, 13 (2018): 86-88.

<sup>23</sup> M. Kaess, R. Brunner & A. Chanen, "Borderline Personality Disorder in Adolescence," *Pediatrics*, 134 (2014): 782-93.

informed consent form before filling the questionnaire. Those participants who objected to the informed consent letter were briefed about the purpose of the study. However, the respondents were at liberty to fill in the questionnaire or even stop the same at any time and not to participate against their free will. This study was approved by the Ethical Committee of the University.

Data, from a public sector University in Peshawar was gathered for this study using a random sampling approach. Sample of this study comprised of students from F.Sc. (constituent college of the University), BS and M. Phil. The students were from F.Sc. (II); BS (first, third, fifth, and seventh semester), MPhil (first and second semester) ranging from 18 to 29 years. 5223 students were enrolled in the F.Sc., BS, and M.Phil. programs. For finding expected prevalence<sup>24</sup> of 62%, the required sample size was 578 with margin of error or absolute precision of  $\pm 4\%$  in estimating the prevalence with 95% confidence interval and considering the potential loss/attrition of 2%. With this sample size, the anticipated 95% CI was (58%, 65%). The sample size is calculated using the ScaleSP Instruments (Table-A).

### **Maclean Screening Instrument for BPD (MSI-BPD)**

Zainarini created the Maclean Screening Instrument for Borderline Personality Disorder (MSI-BPD). The Axis II borderline personality disorder screening and diagnosis tool is regarded as trustworthy. The score range for this questionnaire is from 0 to 10, with 1 point being awarded for each of the 10 items on the scale. Borderline personality disorder is regarded as having a score of 6 or above on the scale. The dependability scale for Cronbach's alpha is 0.84.

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<sup>24</sup> Hayee, Raana & Haider, "Prevalence of Borderline Personality Disorder and its Association with Demographic Factors among University Students of Pakistan," 29-34.

**Table 1**

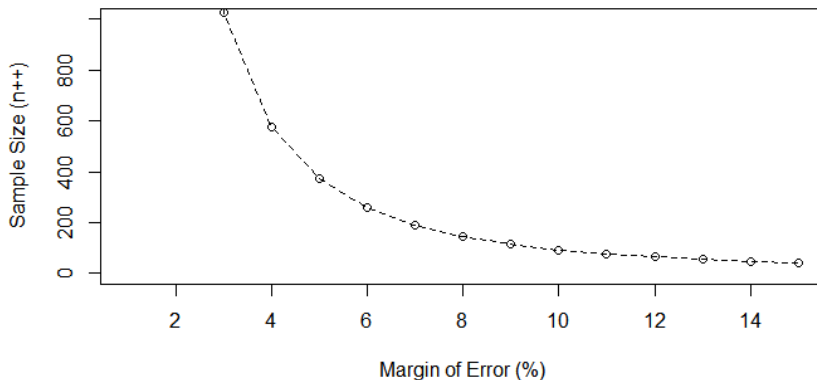
**Level of Confidence = 95 %**  
**Expected Prevalence = 62.0 %**  
**Non-response or any loss = 2.0 %**

**Sample Size Table**

Sample Size (n)				
Precision (d)		Calculated n	Added for loss	Anticipated CI Width
±	1%	9051	9236	(61%, 63%)
±	2%	2263	2310	(60%, 64%)
±	3%	1006	1027	(59%, 65%)
±	4%	566	578	(58%, 66%)
±	5%	363	371	(57%, 67%)
±	6%	252	258	(56%, 68%)
±	7%	185	189	(55%, 69%)
±	8%	142	145	(54%, 70%)
±	9%	112	115	(53%, 71%)
±	10%	91	93	(52%, 72%)
±	11%	75	77	(51%, 73%)
±	12%	63	65	(50%, 74%)
±	13%	54	56	(49%, 75%)
±	14%	47	48	(48%, 76%)
±	15%	41	42	(47%, 77%)
±	4.00	566	578	(58%, 66%)



**Sample Size for Expected Prevalence 62%**



## Result

This Section describes descriptive analysis of the variables taken in the study. There are three independent variables in the study: Gender, Age and Socioeconomic Status. On the other hand, there is one independent variable, i.e., prevalence of the disorder. The ensuing lines start with descriptive analysis of the explanatory variables followed by a description of the dependent variable.

**Table 2**

### Sociodemographic Characteristics of the Participants.

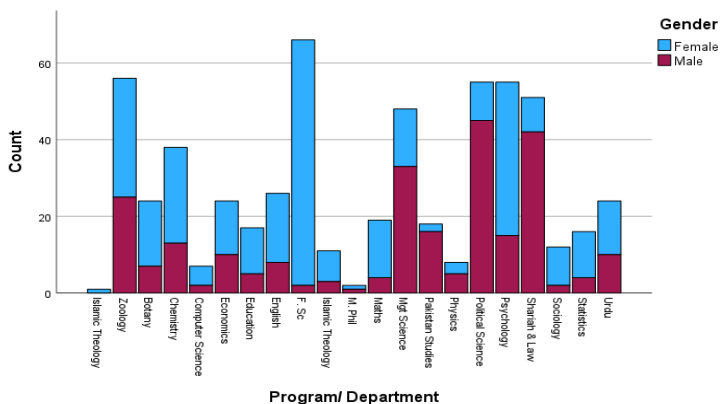
Baseline Characteristics	n	%
Gender		
Male	252	43.6
Female	326	56.4
Socioeconomic status	-	-
Lower class	10	1.7
Middle class	559	96.7
Upper class	9	1.6
Prevalence of Borderline	-	-

Personality Disorder		
Yes	392	32.2
No	186	67.8
Age	-	-
18-21	365	63.21
22-25	209	36.22
26-29	3	0.51

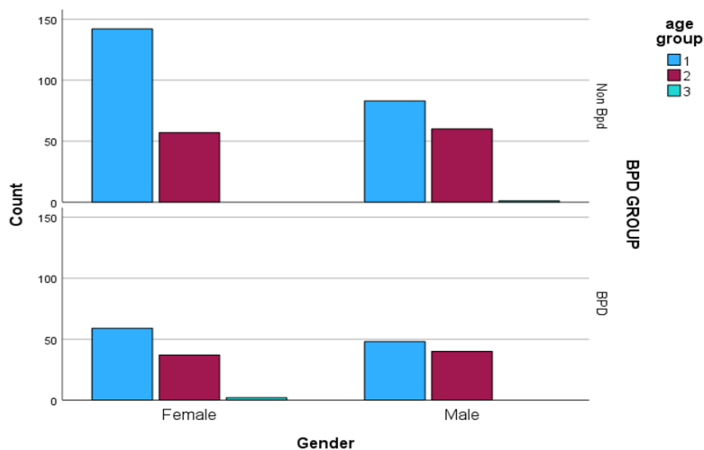
Table 2 presents the frequencies of Gender. There are a total of 578 respondents in the study with 252 males and 326 females. Males represent 43.6% of the total sample whereas females represent 56.4%. The socioeconomic status of respondents has been divided into three categories—*lower*, *middle*, and *upper*. This also shows that a very vast majority (96.7%) of the sample taken in the study is composed of respondents or students belonging to the *middle* status. In contrast, only 10 students (about 1.7%) were of a lower status and the remaining nine students (about 1.6%) marked themselves as having upper socioeconomic status. The third independent variable is Age, measured as a continuous variable. The average age of the respondents in this study is 20.75 years with the youngest student being 18 years old and the oldest being 29 years of age. The age was divided into the following three groups for the sake of understanding and analyzing data easily. 365 (63.21%) respondents were in the category of 18-21years; 209 (36.22%) respondents were included in age group of 22-25 years, whereas 3(0.5%) comprised age group of 26-29 years. The dependent variable of the study, i.e., the prevalence of borderline personality disorder, is measured as a score on the Maclean Screening Instrument of BPD scale equal to, or larger than, six. To elaborate, anybody scoring five or less on the scale is normal, whereas any person scoring six or more is suffering from this disorder. Table 2 shows that 186 out of 578 students have this disorder. This means that 32.2% of the sample suffer from the

borderline personality disorder with the remaining 67.8% being healthy or normal respondents.

**Graph 1**



**Graph 2**



Note: The bar chart shows the age and gender of the students included in the survey assessing the prevalence of borderline personality disorder among university students. Age in graph represents number, 1 = 18-21 years, 2 = 22-25 years, 3 = 26-29 years.

## Discussion

The current study aimed to assess the prevalence and its relationship to sociodemographic characteristics i.e., gender, age, and socioeconomic status of the participants. All the participants were aged between 18-29 and were students at a public sector University in Peshawar. According to results of this study, borderline personality disorder was widespread among university students.

### Borderline Personality Disorder and Gender

The important analysis of this study is to determine the frequency of borderline personality disorder in young adulthood men and women. The result showed that the prevalence of BPD is higher in women than men. A previous study also showed that women with BPD had a higher cumulative incidence compared to men with BPD.<sup>25</sup> In another study the same result revealed that men have lower prevalence rate in BPD than women even the difference was seen on the treatment level as well. Men with BPD were in average 4 years older than women at the time of the first BPD diagnosis.<sup>26</sup> The main explanation for the higher prevalence rate of BPD in women is that they seek treatment, often report their emotional problems and sensitive towards their environment.<sup>27</sup> Aside from why it is common among women, Item Response Theory provided an important explanation for why women tend to experience more depression and

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<sup>25</sup> A. Tate, "Borderline Personality Disorder: Associations with Psychiatric Disorders, Somatic Illnesses, Trauma, and Adverse Behaviors," *Molecular Psychiatry*, 27 (2022): 2514-21.

<sup>26</sup> J. R. Peters, B. T. Upton & R. A. Baer, "Brief Report: Relationships between Facets of Impulsivity and Borderline Personality Features," *Journal of Personality Disorders*, 27 (2013): 547.

<sup>27</sup> Torgersen, S, E. Kringlen & V. Cramer, "The Prevalence of Personality Disorders in a Community Sample," *Archives of General Psychiatry*, 58 (2001): 590-96.

sad feelings, shallow emotions, committing suicidal and non-suicidal behavior, while men are more impulsive than women.<sup>28</sup>

### **Borderline Personality Disorder and Socioeconomic Status**

The socioeconomic status of respondents has been divided into three categories—lower, middle, and upper. This also shows that a very vast majority (96.7%) of the sample taken in the study is composed of respondents or students belonging to the middle status. As the participants are studying in public sector university, therefore, they categorized themselves as middle class. A study conducted by Tunc Özdemir,<sup>29</sup> which also showed that 76% of the participants who were diagnosed with BPD rated themselves as having middle socioeconomic status. The fact behind considering themselves as middle class members is that they can afford the fee structure of the university in which they are currently enrolled. Even when ethnicity and individual-level socioeconomic status were considered, these correlations persisted; however, the positive correlation between neighborhood-level socioeconomic risk and PD symptoms was only visible at higher individual-level.<sup>30</sup>

### **Borderline Personality Disorder and Age**

Finding the participant's representative age of beginning regarding BPD was one of the study's key accomplishments. The age range

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<sup>28</sup> N. Hoertel, H. Peyre, M. M. Wall, F. Limosin & C. Blanco, "Examining Sex Differences in DSM-IV Borderline Personality Disorder Symptom Expression Using Item Response Theory (IRT)," *Journal of Psychiatric Research* (2014): 213-19.

<sup>29</sup> Özdemir, Tunç, & Ahmet Arıkan, "Postoperative Apnea after Inguinal Hernia Repair in Formerly Premature Infants: Impacts of Gestational Age, Postconceptional Age and Comorbidities," *Pediatric Surgery International*, 29, no. 8 (2013): 801-4.

<sup>30</sup> Z. Walsh, M. T. Shea, S. Yen, E. B. Ansell, C. M. Grilo, T. H. McGlashan & J. G. Gunderson, "Socioeconomic-Status and Mental Health in a Personality Disorder Sample: The Importance of Neighbourhood Factors," *Journal of Personality Disorders*, 27 (2013): 820.

used in the current study was 18 to 29. According to the study's findings, disorders are more common in those aged 18 to 21 (63.21%). Previous studies that focused on and highlighted the age range and prevalence of borderline personality disorder supported this finding. According to a related study<sup>31</sup> BPD is more prevalent among people between the ages of 18 and 21 years. Furthermore, the prevalence of BPD decreased until the ages of 22 to 25 (36.2%), and even more so until the ages of 26 to 29 (.5%). It should be noted that because there were fewer participants in this age group, the percentage of prevalence was lower, but the result is consistent with earlier studies that found that, although it is generally accepted that personality disorders have their origins in childhood and adolescence, it can be challenging to diagnose personality problems in children before the age of one. Another noteworthy point is that dimensional symptoms (impulsivity, aggression, disturb interpersonal relationship) are very stable in adolescents and young adulthood.<sup>32</sup> The BPD arise at the age of 18-21 or 22-25 has strongest impact on one's personality this is very similar by previous study in which personality disorder symptoms in childhood or adolescence considered to be a strongest long-term predictor, over and above disruptive behavior disorders and depressive symptoms.<sup>33</sup> Moreover, very few literatures propose the occurrence of BPD symptoms in adulthood<sup>34</sup> and considerable reason of occurrence of

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<sup>31</sup> Hayee, Raana & Haider, "Prevalence of Borderline Personality Disorder and its Association with Demographic Factors among University Students of Pakistan," 29-34.

<sup>32</sup> S. D. Stepp, "Development of Borderline Personality Disorder in Adolescence and Young Adulthood: Introduction to the Special Section," *Journal of Abnormal Child Psychology*, 40 (2012): 1-5.

<sup>33</sup> S. Kasen, P. Cohen, A. E. Skodol, J. G. Johnson & J. S. Brook, "Influence of Child and Adolescent Psychiatric Disorders on Young Adult Personality Disorder," *American Journal of Psychiatry*, 156 (1999).

<sup>34</sup> Stephanie Thornton, "Supporting Students with Borderline Personality Disorder," *British Journal of School Nursing*, 13, no. 2 (2018): 86-88. <https://doi.org/10.12968/bjsn.2018.13.2.86>.

BPD is related to negative hostile environment and lingered psychosocial pressure.

### **Conclusion and Recommendations**

The results of the study revealed that BPD was more prevalent among young adult females (32.2%) than males with the age range of 18-21 (63.21%), 22-25 (36.22%) and 26-29 (0.51%). Gender and mean age are very crucial for prevalence of BPD. The University is a higher education institution and accommodates diverse students which face a number of difficulties in academic settings, personality grooming and lacking in problem solving ability. So, when students enter university, they are unable to cope with mentioned problems, therefore, higher risk is that they can develop psychological disturbance i.e., BPD. At times, lack of family, peer support and early childhood temperament i.e., emotionality, shyness, and sociability also cause BPD. Additionally, the work done in the form of intervention which strengthen the student self-confidence and control age-appropriate anger, dive a student into healthy activities which may be curricular and cocurricular while on the other side child temperament should deal in an appropriate and healthy way. A different forum must be provided to student so they can express their feelings and potential in appropriate way while they get understanding about their temperament and personality traits under their parental supervision.



## **US Withdrawal from Afghanistan: An Assessment of Internal and External Implications**

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# **US Withdrawal from Afghanistan: Internal and External Implications**

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## **Abstract**

*Following the 9/11 Al-Qaeda terrorist attacks on the United States, President George W. Bush had announced a war against Al-Qaeda and sent the US-NATO forces to Afghanistan. Later the Donald Trump government signed a peace pact with Afghan Taliban in February 2020 in Doha and decided extraction from Afghanistan. This withdrawal decision closed about a two-decades long chapter between the two countries. The Taliban control over Afghanistan post-withdrawal scenario in Afghanistan brought forth internal and external problems as they have not yet announced any sound strategy or policy to mitigate the governance and foreign policy crises. This situation has created a sense of insecurity in South Asia. Here, few questions that demand investigation are: (a) Why the US-NATO troops hastily withdrew Afghanistan? (b) How the US-NATO*

*troops' pullout instantaneous decision created copious challenges for the Afghan populace? (c) How this pullout created security challenges for the neighboring states? The present study aims to assess the US-NATO forces withdrawal from Afghanistan and its internal and external implications.*

**Keywords:** Afghanistan, NATO forces, withdrawal, security threats, food insecurity.

## **Introduction**

The United States started a war on terror after September 11 attacks. The targets were mainly extremist groups across the world, specifically Al-Qaeda, the Islamic State, and the Taliban. On September 11, 2001, jet airliners were hijacked and passengers had been told about bombs fixed in the jets.<sup>1</sup> The hijackers (al-Qaeda members) crashed two jets into the World Trade Center and a third jet crashed into the Pentagon. The hijackers wanted to hit a fourth airliner in the Whitehouse, but it crashed into the countryside in Pennsylvania. About 2,977 victims and 19 hijackers lost their lives in the attacks. The then U.S. President George W. Bush coined the term '*war on terrorism*' in September 2001 and later 'war on terror' in his formal speech to the Congress. President Bush also declared, "Our enemy is a radical network of terrorists and every government that supports them."<sup>2</sup>

The next U.S. President Barack Obama also announced 'the Global War on Terror' on May 23, 2013 in which military forces would focus on a particular group aimed to obliterate the U.S. On December 28, 2014, the government declared the ending of the war by the U.S.-NATO led operation in Afghanistan, though they

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<sup>1</sup> Richard Jackson, "War on Terrorism," *Encyclopedia Britannica*, (2020, May 12). <https://www.britannica.com/topic/war-on-terrorism>

<sup>2</sup> Evelyn Alsultany, "Arabs and Muslims in the Media after 9/11: Representational Strategies for a "Postrace Era," *American Quarterly*, 65, no. 1 (2013): 161-69.

sustained their key role in Afghanistan.<sup>3</sup> In 2017, the newly elected U.S. President Donald Trump stretched the military stay in Afghanistan. During the forces stay in Afghanistan, they started search operations and Operation Anaconda in March 2002, to destroy al-Qaeda and Taliban armed groups in the Shah-i-Kot vale and Arma Mountains. In this operation Taliban suffered casualties and vacated the region.

The Taliban unleashed an “insurgent-style offensive” aligned with NATO and the US forces at the end of 2002. A war started between Taliban and Coalition forces in southern and eastern parts. In February 2010, Operation Moshtarak started in southern Afghanistan to destroy the Taliban once and for all. A Peace process debate started between Taliban and Coalition forces. In September 2014, the US and Afghan Taliban signed a safekeeping accord, that permitted the US and NATO forces to prolong their stay in Afghanistan till 2024.<sup>4</sup> In the second phase of negotiations started in Doha in February 2020 between the United States and the Taliban, it was decided that the US forces would leave the region till March 2021 and decided that “allow any of its members, other individuals or groups, including Al Qaeda, to use the soil of Afghanistan to threaten the security of the United States and its allies.”<sup>5</sup> The then Afghan administration was not invited in Doha Agreement so they refused to release prisoners and rejected it. Joe Biden the new elected president announced a withdrawal date to August 31, 2021. Taliban defeated Afghan Armed Forces (trained

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<sup>3</sup> Vincent Morelli, *NATO in Afghanistan: a Test of the Transatlantic Alliance* (DIANE Publishing, 2009).

<sup>4</sup> Air Commodore R. Khalid Iqbal, “Afghanistan Through a Transitional Decade: The Role of Major Powers: An analytical Overview.”

<sup>5</sup> Claire Brenner & Matthew Wallin, “Preparing for the Consequences of Withdrawal from Afghanistan.” (2021).

by the US) and on August 15, 2021 the fall of Kabul government happened.<sup>6</sup>

The then Afghan President Ashraf Ghani left Afghanistan and fled to Tajikistan<sup>7</sup> and Taliban declared victory and war ended. Kabul Airport went under the control of US military forces and “Operation Allies Refuge” started to evacuate Afghan citizens.<sup>8</sup> On August 19, 2021, Taliban re-declared ‘Islamic Emirate of Afghanistan’. After the US extraction sever humanitarian issues are rising in the region and people are suffering hunger, shelter, and other necessities of life.

## **Research Methodology**

To investigate causes of the US-NATO troops hastily withdrawal from Afghanistan and its impact on the Afghan populace and on the overall security situation in South Asia, this study is unique in the sense that it has focused on the post withdrawal implications on Afghanistan and its neighboring states. The immediate withdrawal has left remarkable impact on the ongoing situation and its reflection on Iran, Pakistan, and other States. A huge humanitarian crisis started in Afghanistan which resulted in migration to nearing states. This influx is a heavy burden on the neighboring developing states. The study is significant as it brings to the attention of the global community to come forward and support the people and countries in the resettlement of refugees.

## **Literature Review**

Carter Malkasian in his manuscript *The American War in Afghanistan* provides an inclusive history of the US-Afghan conflict.

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<sup>6</sup><https://www.aljazeera.com/news/2021/8/18/uae-confirms-hosting-former-afghan-president-ghani>

<sup>7</sup><https://www.aljazeera.com/news/2021/8/18/uae-confirms-hosting-former-afghan-president-ghani>

<sup>8</sup> <https://www.vox.com/2021/7/18/22582355/operation-allies-refuge-afghanistan>

The author spent about two years in Afghan region and served as a senior counselor to General Joseph Dunford, a military commander of the US in Afghanistan. He witnessed several phases of the war, 2001 foray, after 2003 Iraq assault, Taliban rise in 2006, Obama-era, and multiple resets in plan and power allocations that of 2011 forward, ending in 2018 to 2020 peace negotiations.<sup>9</sup> According to him Taliban are the most influential group, and sees the conquest as feasible. The US War in the region explained wars have unsatisfactory consequences. He also offered a vibrant description of the disagreement that would remain the reliable justification for decades to come.

Craig Whitlock *The Afghanistan Papers: A Secret History of the War* blamed on a blazing condemnation of the dishonesty, and gaffes on superior military and native officials, by the similarly terrible reverberation of Vietnam disagreement. *The Afghanistan Papers* made a long-lasting openness part of the American documentation of the disastrous administration of a war. It also provides the answer that why Afghanistan War remained so long? The missed prospects, absolute blunders, and acceptance of the US senior commanders for admitting that they were effusively aware of the War situation in Afghanistan. The top generals and officials knew about the price and the ineffectiveness of the operation. It also reveals that it was America's absurdity hooked on the Central Asia. Its historic records of irresponsibility and ghastly decision-making have created a distrust environment in the country.<sup>10</sup>

Dr. Muhammad Tariq in his article "US Withdrawal from Afghanistan: Latest Development and Security Situation (2020)"

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<sup>9</sup>Carter Malkasian, *The American War in Afghanistan: A History* (Oxford University Press, 2021).

<sup>10</sup> Craig Whitlock, *The Afghanistan Papers: A Secret History of the War* (Simon and Schuster, 2021).

highlighted that the US commitment of extraction from Afghanistan within approximately fourteen months will create issues for the US and Afghans. The US and Taliban agreed on this decision under intra-Afghan negotiations at Doha in February, which is anticipated to carry out peace and solidity in Afghanistan. The issues between the two parties during pandemic are being resolved but few reservations left untouched.

The authors projected that the scenario after the withdrawal of the US-NATO forces will assist in predicting the prospects of Afghanistan. It is hard to claim that tranquility and solidity can contour the outlook fate in Afghanistan throughout the last few months regardless of the Doha conformity.<sup>11</sup> Vernie Liebl in “Al Qaida on the US invasion of Afghanistan in their own words” The article covered a phase from first half of 2001 to 2002.

A major part of the article consists of “lessons learned,” and stories shared in interviews told by Al Qaida people by themselves. The author found different documents in different locations from Afghanistan, mostly in ex- Al Qaida ‘Head Quarter’ offices on the battleground. Al Qaida people shared the demise story of Ahmed Shah Mahsoud, involved in the devastation of the ‘World Trade Center’, and different coalition assaults in Afghanistan then the Taliban extraction from Kabul at the end of 2001.<sup>12</sup>

### **Events Leading to US-NATO Withdrawal**

The USSR invaded Afghanistan in December 1979 with support of the Afghan communists. The USSR collided with the anti-communist Muslim groups and the conflict continued until February

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<sup>11</sup> Muhammad Tariq, Muhammad Rizwan, & Manzoor Ahmad, “US Withdrawal from Afghanistan: Latest Development and Security Situation,” *SJESR*, 3, no. 2 (2020): 290-97.

<sup>12</sup> Vernie Liebl, “Al Qaida on the US Invasion of Afghanistan in their Own Words,” *Small Wars & Insurgencies*, 23, no. 3 (2012): 542-68.

1989.<sup>13</sup> Mujahedeen were sponsored by the US and were armed with arsenals and religious zeal against the USSR.<sup>14</sup> After the Red Army surrendered Afghanistan, a new civil war for power started among various groups in the region for control in Afghanistan.<sup>15</sup> The Taliban, who were mostly Pashtun, ruled the country from 1996 to 2001. Their regime ended when the U.S.-NATO forces invaded Afghanistan and cracked down hard on the Taliban for offering haven to Al-Qaeda leader Osama bin Laden and his followers.

Taliban is a word in Pashtu language which means ‘student’. They got recognition in 1994 in Kandahar city. It was intra-groups fight for control of Afghanistan after the USSR defeat and departure. It initially recruited Afghans from ‘Mujahideen’ battalion who were supported by the US forces against the USSR in 1980s.<sup>16</sup> In two years, Taliban exclusively had power over major parts, and proclaimed Islamic State in 1996 with strict implementation of Islamic Sharia. After September 11, 2001 brutal attacks in the US later accepted by Al-Qaeda, motivated the US-NATO forces to capture them; so the US-NATO troops reached Afghanistan and initiated massive airstrikes.<sup>17</sup>

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<sup>13</sup> T. Editors of Encyclopedia, “Soviet Invasion of Afghanistan,” *Encyclopedia Britannica*, May 11, 2020. <https://www.britannica.com/event/Soviet-invasion-of-Afghanistan>

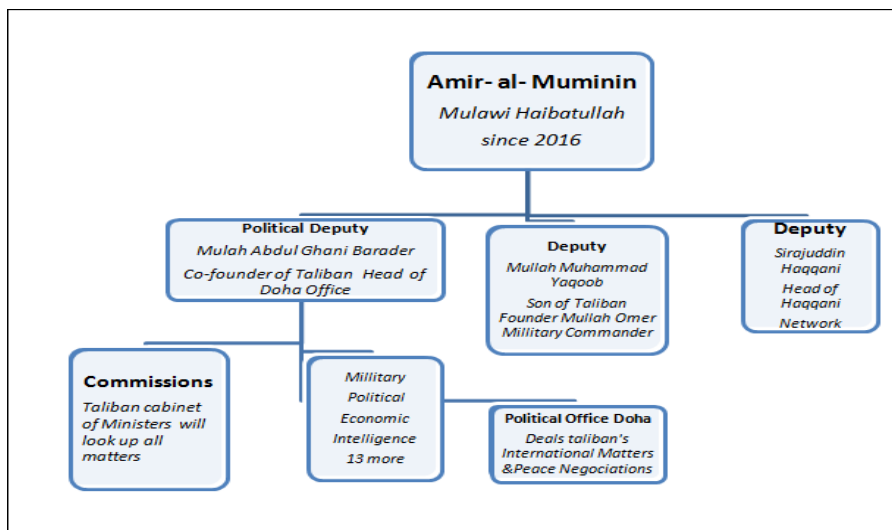
<sup>14</sup> Gregory Feifer, & Robertson Dean, *The Great Gamble: The Soviet War in Afghanistan*, Tantor Media, 2009.

<sup>15</sup> Ghufraan, Nasreen. "The Taliban and the civil war entanglement in Afghanistan." *Asian Survey* 41, no. 3 (2001): 462-87. See also Khalilzad, Zalmay. "Afghanistan in 1994: Civil war and disintegration." *Asian Survey* 35, no. 2 (1995): 147-152.

<sup>16</sup> Eric Nagourney. *Who Are the Taliban, and What Do They Want?* The New York Times. (August. 19, 2021) <https://www.nytimes.com/article/who-are-the-taliban.html>

<sup>17</sup> The Indian Express, The Taliban: Here are key facts about the militant group’s history and ideology. (August 27, 2021). <https://indianexpress.com/article/explained/who-are-the-taliban-afghanistan-history-ideology-7456032/>

**Fig: 02 Taliban Leadership Structure**



After 9/11 George W. Bush announced a war to encounter terrorism that planned in Afghanistan.<sup>18</sup> Taliban group comprised of one hundred thousand fighters but proved strong in last twenty years.<sup>19</sup> As the US withdrew, Taliban took the control in Afghanistan. In the past the Taliban had targeted and attacks on Afghans locals, and controlled<sup>20</sup> controlled about fifty-four percent areas of Afghan's major districts till the end of July 2021.<sup>21</sup> The US-NATO forces during their stay in Afghanistan trained 30000 soldiers and it aimed that these troops would seek the control after their withdrawal but unfortunately they surrendered and an unhopeful circumstances perceived in the

<sup>18</sup> Zachary Laub, "The Taliban in Afghanistan," Council on Foreign Relations 4, no. 7 (2014): 1-9.

<sup>19</sup> Laub, "The Taliban in Afghanistan," 1-9.

<sup>20</sup> Jayshree Bajoria, and Zachary Laub. "The Taliban in Afghanistan," Council on Foreign Relations 6 (2011).

<sup>21</sup> Maia Larose Saldana, "The Future of Afghanistan After Two Decades of NATO Military Presence," (2021).



country.<sup>22</sup> The post withdrawal situation in Afghanistan created insecurity inside Afghanistan and beyond.

### **Internal Implications and Domestic Problems**

Post-withdrawal of the US troops from Afghanistan created many challenges in the country. The Taliban leader Mullah Abdul Ghani Baradar and his political officials convened Martin Griffiths and shared that Afghanistan is facing a calamitous humanitarian situation caused by stern water dearth and a failing economy. Shaheen (Afghan Spokesman) in his Twitter statement said that “The UN delegation promised continuation of humanitarian assistance to the Afghan people, saying he would call for further assistance to Afghanistan during the coming meeting of donor countries.”<sup>23</sup>

Taliban assumed control of Kabul and announced their government in July 2021. Afghanistan returned to the condition akin to 1994 that was characterized by Islamic rule. The state became a podium for global terrorists’ organizations. After the US forces’ withdrawal, some fiscal challenges also intensified as the economic support and external financial assistance was terminated. A civil war situation is expected to emerge in the near future that would lead to further fragmentation and division among different and warring ethnic groups.

Afghan women raised their voice over women rights. According to Mary Akrami Sahak (director of Afghan Women’s Network), “After the 1996-2001 oppressive Taliban rule, the women of Afghanistan came out of the dark. We will never go back!”

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<sup>22</sup> Maia Larose Saldana, “The Future of Afghanistan After Two Decades of NATO Military Presence,” (2021).

<sup>23</sup> *Dawn*, “Afghan Taliban say UN Promises Aid after Meeting with Officials in Kabul,” (September 6, 2021) <https://www.dawn.com/news/1644562>

Taliban in their first tenure restricted women to go outside for work, shopping etc. After the US forces pulled out, women in Afghanistan are deeply concerned over Taliban's previous policies. Even if they have promised soft policies towards women in Afghanistan, the issues of emancipation and freedom to work is not announced. Without addressing these issues, progress is hardly possible; as Mary Akrami said, "Without carefully listening to women in all corners of the country and bringing their concerns and demands to the table so far, the so-called peace talks lack this kind of democratic legitimacy."

The issue of gender equality and women is a big test also, for Taliban, the international community's response to it. Civil society in Afghanistan also feel threatened as they know that they cannot criticize or demand reforms in the country because they have bitter past experiences of the past.

After Taliban detained city of Kabul, Farshad Usyan, a member of a news agency, shared that he and his fellows had only one option that is to leave Afghanistan because he is a photojournalist and Taliban will not allow them to work.<sup>24</sup> Another journalist described in an interview with Aljazeera that "I was keen to stay back and to try to work more, but it seemed impossible".<sup>25</sup> The US-NATO extraction has created a way for Taliban to takeover Afghanistan and it has created pandemonium and bewilderment and countless Afghan people are looking forward to leave the country.

People in Afghanistan have been facing a dire shortage of food, clean water, and medicine in the cities. They are having difficulty in meeting their daily needs. Many organizations have stopped working and left Afghanistan which resulted in acute health crisis as

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<sup>24</sup><https://www.aljazeera.com/news/2021/8/26/afghan-journalists-face-uncertain-future-under-Taliban>.

<sup>25</sup><https://www.aljazeera.com/news/2021/8/26/afghan-journalists-face-uncertain-future-under-Taliban>.

people are facing difficulties to access healthcare.<sup>26</sup> According to Ramiz Alakbarov, Deputy Special Representative and Humanitarian Coordinator in Afghanistan says,

It is extremely important that we prevent Afghanistan from descending into a further humanitarian catastrophe by taking the necessary steps to provide essential items which this country needs right now. And that is to support food, health and protection services, and non-food items, to those who are in extreme need.<sup>27</sup>

After the takeover many Afghans have been displaced, which resulted in causing a serious issue of refugees on borders. The insecurities and threats to their lives forced them to leave the country. The UN Migrant Agency estimated that more than 500,000 Afghans fled by the end of 2021.<sup>28</sup>

Many international organizations engaged with health, education and other social work immediately left Afghanistan after the withdrawal, leaving the beneficiaries of those services in peril. Taliban leadership must handle this situation by using diplomatic means and allow all organizations to resume their activities.

### **External Implications and Foreign Policy Constraints**

In the wake of Taliban takeover, the neighboring countries are feeling a security threat. China, Pakistan, Iran, Turkmenistan, Uzbekistan, Tajikistan, Russia and India, are anticipating emerging security challenges. The local trade and flow of Afghan refugees could destabilize their economic and even social landscapes.

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<sup>26</sup>[https://www.msf.org/medical-needs-urgent-ever-afghanistan-after-taliban-takeover?gclid=Cj0KCQjwssyJBhDXARIsAK98ITTP\\_mKkmEh3CE15UhzXBqw6MqNlkXmGwioUFW5KChnu-nOQV3KVF0IaAojpEALw\\_wcB](https://www.msf.org/medical-needs-urgent-ever-afghanistan-after-taliban-takeover?gclid=Cj0KCQjwssyJBhDXARIsAK98ITTP_mKkmEh3CE15UhzXBqw6MqNlkXmGwioUFW5KChnu-nOQV3KVF0IaAojpEALw_wcB)

<sup>27</sup> UN News, “Afghanistan Crisis: Food Supply for Millions Could Run out this Month,” (September 1, 2021). <https://news.un.org/en/story/2021/09/1098972>

<sup>28</sup> Baqir Sajjad Syed, “UN Assured of Pakistan Help in Afghan Projects, *Dawn*, (September 5, 2021). <https://www.dawn.com/news/1644562>

Pakistan has the greatest regional influence on the trajectory of the conflict. In Pakistan, 1.4 million Afghan refugees are settled and now more are expected to arrive continuously after the US extraction. This exodus pattern has stayed the same for the past many decades. About 400,000 Afghan natives had runoff during the Communist-led Amin government and entered Pakistan. These statistics gradually got higher after the USSR invasion in 1979. By 1980, approximately four million refugees crossed the border and settled in Pakistan. In the past, the world community financially supported Pakistan in the settlement process, but this time they are not willing to support. Pakistan is already under the effects of the pandemic and the financial crises have brought the economy to near-default. Another factor is Pakistan's internal security which cannot afford terrorism in the country. Pakistan has always focused on the humanitarian aspect of Afghanistan, and recently it has evacuated overseas civilians from conflicted areas.

Afghanistan is an eastern neighbor of Iran with historic relations. The muddled consequences of the Taliban's occupation had an undulating effect that damaged Iran's interests. Iran's officials have deep concerns of a flow of immigrants and migrants, narcotics trafficking, keeping trade, dealing with threat from the extremist groups, and protecting Shia Afghan minorities. Iran set up temporary shelter near Razavi Khorasan, South Khorasan, Sistan and Baluchistan for 950,000 registered Afghan migrants and expecting 2 million more Afghans.<sup>29</sup>

Taliban control over Kabul has been perceived in India in the perspective of India-Pakistan conflict and altercations with China, creating a situation very different than Ashraf Ghani's regime which is a serious challenge to India's security. Indian media has been busy in portraying the US withdrawal from Afghanistan as Pakistan's

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<sup>29</sup> <https://www.mei.edu/publications/missing-bigger-implications-us-withdrawal-afghanistan>

victory of its Afghan strategy. India is mainly apprehensive regarding the regional fallout and is also worried about Taliban and their relations with Pakistan and how India would manage this cooperation between the two. Pakistan is as apprehensive to the Afghan Taliban as is India. TPP and its links to the Afghan Taliban is a source of contention for Pakistan.

China invested profoundly in the resource exploitation in Afghanistan. It had its own qualms that Afghanistan would have harmful impact on China if security situation got worse. It is imperative to bring new Afghan leadership onto a political and diplomatic track. China can manage and ensure security in South Asia and Central Asia owing to its ability to provide financial assistance to Afghanistan.<sup>30</sup> China has started CPEC and BRI projects, and any demographic or political change in the region would affect Chinese investment. Being a major power, it would come forward and negotiate with Taliban for regional peace for cordial and bilateral relations. It is also projecting that China may provide financial assistance to the government of Afghanistan for better governance on humanitarian basis, following its soft tactics and friendly relations' policy with the neighboring states.

An abrupt extraction of the US forces has numerous traditional and nontraditional threats in Afghanistan, especially various fears of cross-border militancy and drug trafficking can have grave effects on internal security of regional powers. The Central Asian countries are particularly on the edge, as the crisis in Afghanistan can flow outwards towards the neighboring region. All these states want peace in Afghanistan and will never support any armed conflict. Afghanistan has deep historic relations with the Central Asian block and have always looked forward to cooperation and bilateral

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<sup>30</sup> <https://ipripak.org/post-us-withdrawal-from-afghanistan-internal-and-external-dimensions/>

agreements to increase trade, and political partnerships, but it can only be possible if there is a peaceful Afghanistan.

It is expected that the US withdrawal from Afghanistan will continue to influence China and India's internal affairs. If the Afghan Taliban strongly hold and establish a political government, the role of Pakistan would be decisive and influential and will amplify rapidly.

## **Conclusion**

The Taliban takeover of Kabul took the global world by shock and surprise. The effortlessness and ease by which this force captured power in Afghanistan showed unmistakable signs of the US backing. The two-decades long contest ended in August 2021 when the US-NATO troops abruptly left Afghanistan and this immediate move created internal and external challenges and insecurities for South Asia. This withdrawal has had a deep impact on political, economic, and governance issues in Afghanistan, where a shortage of food, medicine, health care facilities, and bulging insecurities have made people afraid and forced them to move abroad. Taliban have not announced any strategic plan for governance. It is also expected that they can divide into various groups for the sake of power and authority and a new civil war is in the offing. In this fragile situation, the victims are innocent Afghan people who have families with children and women. The neighboring countries, Pakistan, Iran, and India have their own concerns about regional and border security. Pakistan and Iran already have millions of Afghan refugees resettled in their territories and are expecting more soon. The UN teams have also been providing communities with access to water and sanitation; however, the World Food Programme (WFP) has expressed concern with reference to food requirements of Afghanistan. The world community did not offer a comprehensive relief package for the Afghan populace. The UN's role is also significant, but it has not broadcast its strategic plans for

Afghanistan's current situation. Afghanistan's shaky financial and humanitarian conditions are reasons enough for the world to engage with Kabul to bring stability as the alternate outcome will surely disturb the regional and world peace.



# From Line of Control to Line of Connectivity: Analysing Socio-Economic Developments in AJ&K

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# **From Line of Control to Line of Connectivity: Analysing Socio-Economic Development in AJ&K**

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## **Abstract**

*Line of Control, the ceasefire line across the divided State of Jammu and Kashmir established under the resolutions of United Nations, has witnessed many episodes of small wars and exchange of fire over the years. There has also been some cooperation across this blood-spattered line, such as the facilitation provided for divided families to travel on cross-border bus service and another initiative to start truck-transported trade on both sides of LoC from two entry points: Chakothei and Tetrinote. These initiatives were relief measures for internally displaced persons of Jammu and Kashmir. These buses and trucks had significant influence on lives, culture, socio-economic development, and infrastructural upgradation. After*

*the abrogation of Article 370 and Article 35-A, these facilities for Kashmiris were terminated. This paper explores the importance of cooperative initiatives for reuniting the divided Kashmiri families and other socioeconomic benefits in Azad Jammu and Kashmir.*

**Keywords:** *Jammu and Kashmir, Socioeconomic, Development, LoC.*

The State of Jammu and Kashmir is separated into two parts as “Azad Jammu and Kashmir” and “Jammu and Kashmir State” respectively under the administration of Pakistan and India.<sup>1</sup> It was British liability under the 3<sup>rd</sup> of June Plan for the division of subcontinent<sup>2</sup> which turned into a perpetual conflict between India and Pakistan. The conflict of Kashmir was triggered after landing of Indian paramilitary forces at Srinagar Airport on October 27, 1947<sup>3</sup> and a rift created between two nascent states, resulting in first limited war and India requested United Nations to intervene on December 31, 1947. United Nations registered as India-Pakistan question<sup>4</sup> and forced opponents to stop hostility and made a temporary line using the term ‘Ceasefire line’.<sup>5</sup> The Line of Control (LoC) which is basically an extension of ceasefire line, somehow works as a de facto border between Pakistan and India.<sup>6</sup>

The LoC was established under the Simla agreement between Zulfikar Ali Bhutto (Pakistan) and Indra Gandhi (India) with not having any legal and international recognition as a boundary. It is

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<sup>1</sup> Snedden Christopher, *Understanding the Kashmir and Kashmiris* (London: Hurst & Company, 2015), 08.

<sup>2</sup> Tarar M. Rafique, (Former President of Pakistan) *PTV News*, 21:00, October 13, 1998.

<sup>3</sup> Aziz Qutubuddin, *Jinnah and Pakistan* (Pakistan: Islamic Media Corporation, 2001), 129.

<sup>4</sup> United Nations Security Council Resolution 38 adopted January 17, 1948.

<sup>5</sup> <https://peacemaker.un.org/indiapakistan-karachiagreement49>. Seen on March 15, 2021.

<sup>6</sup> [http://www.ipcs.org/comm\\_select.php?articleNo=209](http://www.ipcs.org/comm_select.php?articleNo=209) seen on March 20, 2021.

740 kms long and starts from Dhalan to NJ9842 with an imaginary line towards Karakorum pass<sup>7</sup> and separates the state into two main parts: Jammu and Kashmir State and Azad Jammu and Kashmir State. Former US President Bill Clinton referred to Kashmir Line of Control as one of the most dangerous places in the world.<sup>8</sup>

Over decades, both the disputants India and Pakistan tried to normalize their bilateral relationship and revisit their Kashmir policies especially in post nuclear testing era, at the insistence by international community after the Kargil War. The softening border theory was accepted by both to develop peace process in Kashmir with the help of confidence building measures (CBMs).<sup>9</sup> This proposal remained under discussion of both countries from 1999-2000 and matured in 2003 which was supported by ceasefire and talks for peace between India and Kashmiri leadership along with militant groups.<sup>10</sup> The official announcement of the agreement was held on February 16, 2005 by General Musharraf (President of Pakistan) and Natwar Sing (Minister of External Affairs of India) with other multiple agreements like Lahore-Amritsar bus service, Thar Express train service and opening of consulates in Karachi and Mumbai. It was further stated that Srinagar-Muzaffarabad Bus Service can be used to facilitate all the Kashmiris across the divided state who wish to travel anywhere across the LoC.<sup>11</sup>

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<sup>7</sup> Sing Jasjit, *Defence form the Skies, Indian Air force Through 80 Years*, 2<sup>nd</sup> Edition. (India: KW Publishers,2017), 221-245

<sup>8</sup> "BBC News, South Asia, Analysis: The World's Most Dangerous Place?," News.BBC.Co.UK.

<sup>9</sup> Ajay Gandhi, et. al., *Rethinking Markets in Modern India, Embedded Exchange, and Contested Jurisdiction* (Cambridge Printing House, 2020), 209.

<sup>10</sup> "India, Pakistan Seal Deal on Srinagar-Muzaffarabad Bus link," *The Hindu*, February 17, 2005.

<sup>11</sup> "Pakistan Foreign Policy and its Impacts," *Selection from Regional Press*, Vol. 24 (Pakistan: Institute of Regional Studies, 2005), 02.

In the result of a long phase of negotiations between India and Pakistan in post 9/11 scenario, the agreement on the CBMs was considered as a great initiative of facilitation of Kashmiris across the divided line through “Bus and Truck service” aiming towards reunion of separated families and restoration of mutual trade April 7, 2005, and October 2008<sup>12</sup>, respectively. Old Pindi-Srinagar route was the pioneer link in joining the divided families of Kashmiris after multiple decades from Muzaffarabad to Srinagar via Chakothi and Uri. After one year and couple of months, a new route also opened from Tetrinote, Poonch District across the LoC during June 2006 with the proposal of opening three more routes from Sharda, Tethwal and from Mirpur to Rajouri, which still is waiting for a decision.<sup>13</sup>

The transformation of the Line of Control (LoC) into Line of connectivity in April 2004 and October 2008 was carried out in the light of CBMs which is, indeed, a serious effort from the international community, local public of India and Pakistan, Kashmiris and many organizations who are working on peace making and peace building in the conflicted areas. This happened to mitigate the alarming situation when two nuclear-armed nations went to a limited war in Kargil, which was seen as a serious threat to the region and even the entire globe by the organizations involved in peacemaking and building security regimes; these entities demanded that both the countries gave serious thought to resolve the issue of Kashmir and designed CBMs to reduce the conflict through easing the Line of Control. The crossline trade initiative enjoyed support and encouragement by the locals and business communities across the LoC despite frequent and multiple hurdles emerging from the Indian side. The main motive behind this was to bring together all

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<sup>12</sup> Hafeez Mahwish, “The Line of Control (LoC) Trade: A Ray of Hope,” *Pakistan: Strategic Studies*, 34, no.1 (2014): 74-93.

<sup>13</sup> Taneja Nisha & Samridhi Bimal, “Revisiting India Pakistan Cross-LoC Trade,” *Economic and Political Weekly*, 50, no. 6 (2015): 21-23.

the Kashmiris, to give a soft gesture to international community and leading this LoC further to a soft international border between Indo-Pak. It is also a platform to establish a ground for people on both sides to feel the importance of a peaceful resolution of this decades old conflict by putting pressure on their respective governments. However, positive results of the trade initiative had been doubted when a group of scholars argued that the India was using it as a delaying tactic and will gradually merge the Jammu and Kashmir State into the Indian territories.<sup>14</sup> Another aspect of these measures considered as the divergence of the international media upon the human rights violation in Jammu and Kashmir. These both narratives are somehow meaningful in the context of international politics and Indo-Pak traditional rivalry, but it is also a reality that the transportation across LoC was more than a blessing in the region.

This initiative got acceptance form the locals and the Kashmiri diaspora due to the following factors:

- Pakistan, as well as international community, predicted reduction in Indo-Pak conflict
- Analysts comprehended it as a peaceful resolution of Kashmir dispute although its barter-based model as exchanging of goods left a gap of intercommunication.
- No foreign aid was involved and there were limited chances of financial litigation
- A limited quantity of trade items made smuggling monitoring and enforcement easy

Pakistan established two entry points at Chakothi in the Jhelum Valley, which linked with Uri in pre partition era on the Pindi-Srinagar Road, and another point was Tetrinote (Rawalakot), followed through Pindi-Rawalakot Road. Each point monitored, supervised, assisted, and controlled through a center named as Trade

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<sup>14</sup> Mahwish, "The Line of Control (LoC) Trade," 74-93.

Facilitation Center while the Indian government followed same pattern and established an entry point to cross from Chakothi entry point named Salman Abad which links with Srinagar through Baramulla and Uri. At Tetrinote, an entry point was launched at Chakan-Da-Bagh, Poonch from Indian side. On both Salman Abad and Chakan-Da-Bagh trade facilitation centers were also established to unload the trade goods or wait and rest center from the travelers and drivers.<sup>15</sup> These centers were working as a market as well where traders met and deliberated about dealings.

Some other points on LoC also introduced, both formal and informal, at which Kashmiris crossed the line to meet or talk to each other in Neelum Valley at Tethwal-Pahalian, Keren from both sides, Sharda from both sides, Haji Peer Pass and Tatta Pani regions. LoC cross trade is initiated following especial mechanism of standard operating SOPs accepted by both India and Pakistan which comprised upon undue modalities and restrictions on the movement of buses and trucks, TORs for the drivers and their permits, security and scrutiny, time schedule, prescribed items, and route safety measures while trade implemented through procedures.<sup>16</sup> The LoC trade has noteworthy impact upon the revenue generation and labor-based project.

The figures which are generated by independent press of Jammu and Kashmir shows, in cross Line of Control trade which conducted four days in a week comprised upon exchange of 70 trucks per day which earned an awesome amount about 7500 crore Indian Rupees during 2008-2019 with production of 170000 job days for the labors and the transportation sector got the revenue of 66 crore, while it is only a miniature project but it is the beneficiary of many local businessmen, traders, transport related persons are earning in this sector. Amid

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<sup>15</sup> Z. I. Dar & S. K. Bathia, "Indo-Pak Cross-LoC Trade Hitches: Tweaking through Trade Facilitation," *India: International Journal of Research Culture Society*, 01 no. 06 (August 2017): 72.

<sup>16</sup> Akhtar Shaheen, "Expanding Cross-LoC Interactions: A Conflict Transformation Approach to Kashmir," *Spotlight on Regional Affairs* 31, nos. 1-2 (2012): 15.

questions over economic viability, sustainability and national security implications, cross-LoC trade survived more than a decade, until this trade was suspended in April 2019.<sup>17</sup>

The euphoria of the locals and traders on both sides of LoC died down post-5<sup>th</sup> August measures of Indian Government taken to revoke the status of Jammu & Kashmir State. In common perception the truck across the Srinagar Road from Azad Jammu & Kashmir are not only luggage shifting one side to the other side, but also indeed a livelihood for people and more than that they were enjoying the fragrance of their soil by exchanging items on Chakothi and Tetrinote.<sup>18</sup> Hence, one constitutional decision by India has had profound socioeconomic implications for the valley-dwellers. The fruit and vegetable merchants in Jammu and Kashmir protested for weeks demanding the Muzaffarabad-Lahore route to be opened for their trade in India and Pakistan.<sup>19</sup> Hence, this service was a fruitful source of employment and trade on the both sides of LoC for the Kashmiris although its trade status is only barter system but the calculation in Azad Kashmir side, announced by traders in a press conference during the suspension of this service, is about ten thousand Kashmiris who are associated in this trade and have lost their livelihood. The business of silk and carpet houses in Srinagar encouraged the public in Azad Kashmir towards trading in Gabba, rig (Namda), Kashmiri embroidery, Shawl weaving, Kashmiri Pheran for male and for females. Kashmiri dress is unique and splendid in entire world and this Pheran is a sign of our solidarity and unity with the people of Jammu & Kashmir, Hence, it is not only a piece of dress but upcoming days it could be converted into strong influential local industry in Kashmir which can be one

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<sup>17</sup> <https://thewire.in/south-asia/why-cross-loc-trade-must-resume-after-the-covid-19-crisis>

<sup>18</sup> Chandran D. Suba, *Cross-LoC Trade: Challenges and Opportunities in J&K* (India: Institute of Peace and Conflict Studies, 2008), 208.

<sup>19</sup> "The Greater Kashmir," June 25, 2016, 3.

impressive point of attraction for the visitors in Azad Kashmir on ‘Pheran Day’.<sup>20</sup>

These arrangements, although look temporary but they have great contribution to socio-economic awareness and boost up local industry in a highly conflicted zone. A multidimensional prediction by a senior bureaucrat, Secretary Law and Parliamentary Affairs of the Government of Azad Jammu & Kashmir, Mr. Irshaad Ahmed Qureshi, informed during an interview that, in Medina Market Muzaffarabad, more than 30 traders engaged with Kashmiri cultural dresses and embroidery centers were being inaugurated every other day, focusing specifically on Kashmiri shawls. He further reiterated,

It appears to me that this travel and trade facility has brought us in pre-partition era and it is also a fair but surprising change in Azad Kashmir markets, which are now turning into tourism industry, and these cultural products and handicrafts will likely bring implications on the promotion of tourism in Azad Kashmir. it’s a great opportunity for the citizens of AJK that they promote this industry to enhance their per capita income in such a zone where 98% public relies on and struggles for government jobs and services.<sup>21</sup>

A huge problem, from 1947 to 2004, in Azad Jammu and Kashmir was that of infrastructure, especially the damaged roads. The Pindi-Srinagar Road which was constructed during 1890-1910 under the supervision of Sir Walter Lawrence had been turned into a seasonal road. In the winter season, the main highway from Kohala to Chakothi and Kohala to Dhirkot Road used to be terminated and damaged, although reconstructed and remained under maintenance throughout the year. For the Muzaffarabad-Srinagar Bus service, this road was handed over to Frontier Works Organization (FWO) and later to National Highways Authority (NHA) which invested and controlled the land sliding and erosions through the construction

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<sup>20</sup> Minhas Mushtaq, Interviewed on “*Kashmiri Pheran Day*” on February 13, 2020, to Geo News.

<sup>21</sup> Irshaad Ahmed Qureshi, Interviewed in the Office of Law Secretary govt. of AJ&K Muzaffarabad dated. September 02, 2020, at 14:00.



of protection walls on both sides of the road especially in the damaged areas. The betterment of Jhelum Valley Road (Pindi-Srinagar Road: from Domel to Chakothe known as Jhelum Valley Road) brought positive changes in the region, especially in trade. New markets, food corners, food points, bazars were established. The businessmen from AJK and Pakistan invested in this region especially on tourism and micro businesses.

The impacts of this suspended initiative can be described as,

- The most significant contribution of Buses and Trucks is reunion of the divided families across the LoC which had been separated from the last 57 years;
- the trade and travel service had a great importance for internally displaced persons;
- the bus route from Srinagar to Muzaffarabad was the only practical step taken towards socioeconomic development.<sup>22</sup>

According to one local interviewed for this study,

It is more than heavenly blessing for us because we could not expect that we can meet with my mother, sisters, brothers and other family members. These buses are trucks are really brought magical changes for us that we are finding realization of our dreams by reuniting our families once in a year after scattering in post partition incidents.<sup>23</sup>

Exchange of people, ideas and culture are very important for resolution of political conflicts in postcolonial states, and AJ&K is

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<sup>22</sup> Lalwani Sameer P. and Gillian Gayner, *India's Kashmir Conundrum: Before and After the Abrogation of Article 370* (Washington: US Institute of Peace, 2020), 46.

<sup>23</sup> Khan Sardar Attique, *Interview to Press and Electronic Media about LoC trade* in Prime Minister House AJ&K Muzaffarabad dated. January 02, 2007 at 14:00. (Sardar Attique Ahmed Khan is the Son of Sardar Muhammad Abdul Qayyume Khan who was legendary politician of Kashmir and contributed to freedom Movement and was also elected Prime Minister of Azad Jammu and Kashmir twice during 2006 and 2011 respectively. He was when LoC trade was initiated, he was Prime Minister of AJ&K).

no exception.<sup>24</sup> The trade across LOC was indeed a step in the right direction. In the words of Sardar Zulfiqar Ali, manager of trade facilitation centers,

‘Goshtaba’ is becoming very common food dish on hotels in wedding functions and public parties, as well as, Kashmiri Shawls, Stallers, Kurtas, dresses are very common in markets which are imported from Srinagar. Now we are moving back to our originality and roots through acquiring our own culture heritage which is unique around the globe.<sup>25</sup>

In addition to the social merits, the tourism industry saw rise. The minister of Information, Cultural Heritage and Youth Affairs in AJ&K elaborates it as,

After the Kashmiri Sikhs arrival in Muzaffarabad, now, old temples in city and historical bridge on Jhelum (Vatista) River at Domel is decorated again and again because it was the “Baradari” in pre partition era, now our government is serious to make a comprehensive plan for maintenance, conservation, and fabrication of these points because these are our cultural assets. I can mention some more places in Azad Jammu and Kashmir where non-Muslims were inhabited in pre-partitioned era and it is suggested, and I will propose to the Prime Minister to construct an archaeological museum in Muzaffarabad but due to lack of funds this proposal delayed presenting date.<sup>26</sup>

The most significant feature of the truck and bus service is a revival of old relationships and solidarities across the LoC with strengthening personal interaction and social communication which

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<sup>24</sup> The land of Kashmir is indeed rich in terms of culture, especially handicrafts, wood carving, shawl weaving and carpet making which following by hundreds of years old tradition and spectacular heritage. But after the partition most of these assets were limited to the valley of Kashmir, even not flourished in Indian major states due to moisty condition and conflicted atmosphere had throttled this historical asset.

<sup>25</sup> Tremblay Reeta Chowdhari, “Kashmir’s Secessionist Movement Resurfaces: Ethnic Identity, Community Competition and the State,” *Asian Survey*, 49, no. 6 (USA: University of California Press, 2009): 924–50.

<sup>26</sup> Chandran D. Suba, *Expanding Cross-LoC Interactions: Perspectives from India* (India: Institute of Peace and Conflict Studies, 2009), 87.

resulted in cross border marriages and economic partnership. One factor which cannot be ignored is that India did not want to make this arrangement sustainable, durable, and permanently functional and indulged again in aggression, suppression and blackmail of all Kashmiri parties' conditions and regulations related to security clearance.

After the abrogation of Article 370, the travel and trade were suspended and have not been restored. Nisar Ahmed Rather, an expert on Indo-Pak relations, mentioned that it is assumed that the restoration of trade and travel will be on Indian terms and conditions and for this purpose Wahga border trade module will be adopted just for the induction of visa and passport regimen and not for any significant and comprehensive exchange.<sup>27</sup>

## **Conclusion**

The trade and travel across the LoC had been launched in the result of CBMs between India and Pakistan for softening the line of control on both sides to reduce the political tension and to introduce several measures for the much-needed socioeconomic development in this war-torn region; however, India suspended this program of healthy exchange for political reasons. For peace efforts to be sustainable in the region, it is imperative that the international community impartially asks for the restoration of fundamental rights in Jammu & Kashmir State and cross-border trade is an important step in this regard.

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<sup>27</sup> Nisar Ahmed Rathar, *Oral Discussion* in his office, *Daily Siasat*, Muzaffarabad. Dated: August 09, 2020, at 16:00. (Nisar Ahmed Rather was among those passengers who travelled in pioneer convoy of Muzaffarabad-Srinagar Bus Service).



# Indo-Pak Public Diplomacy under the BJP: A Comparative Analysis of Vajpayee and Modi Governments

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# **Indo-Pak Public Diplomacy under the BJP: A Comparative Analysis of Vajpayee and Modi Governments**

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## **Abstract**

*This study provides a comparative analysis of the various aspects of public diplomacy between India and Pakistan during the two BJP governments under consideration. Both countries have a long history of war and strife and people-to-people interactions could not find space to thrive; however, there have been attempts at maintaining public diplomacy from both sides. This study is an endeavor to estimate the successes and failures of public diplomacy strategies and approaches, as well as the behavior and attitude of the leadership towards soft power under the Vajpayee and Modi governments. By exploring various events of public diplomacy, e.g., visits by leadership, sports, cultural, and religious tourism, student exchanges, trade, Track II diplomacy, etc. Furthermore, emphasis is laid on various internal and external barriers and obstacles to public diplomacy faced by both BJP governments, particularly around the Kashmir dispute.*

**Keywords:** Public diplomacy, conflict, BJP, leadership, comparative analysis.

## **Introduction**

A fundamental characteristic of public diplomacy is to safeguard the national interests of a country and to engage the citizens in the process. Public diplomacy incorporates all official endeavors to persuade designated areas of unfamiliar assessment to help or endure an administration's essential objectives. Public diplomacy includes all official efforts to convince targeted sectors of foreign opinion to support or tolerate a government's strategic objectives. In India, the External Publicity Division and the Public Diplomacy Division were converted into a single substance and turned into the External Publicity and Public Diplomacy Division. The BJP's first government under PM Vajpayee had a good record of public diplomacy as compared to the 2014 BJP government of PM Modi because of several public diplomacy factors, aspects, features, and events.

During Vajpayee's BJP government, there were several reciprocal visits of leadership from both sides, first when PM Vajpayee visited Lahore and signed the Lahore Declaration, and then during Musharraf's tour of India in 2005. However, in PM Modi's BJP government, there are no such leadership visits. Support and cricket diplomacy occurred when PM Atal Bihari Vajpayee met with PM Muhammad Nawaz Sharif in the United States in September 1999, and a Pakistani cricket team's tour to India was planned for February 1999. In 2004, the Indian cricket team toured Pakistan. Subsequently, in 2005–2007, cricket series were played between both nations, and because of these series, tension and hostility between both nations were reduced. Secondly, in the said meeting, bus service between Lahore and Delhi was suggested. However, there was no such thing as cricket diplomacy in the Modi government. There are several other areas, e.g., student exchange,

religious tourism, Sikh Pilgrim Visits to Pakistan and Track II diplomacy. The role of the media in the Samjhota Express etc.<sup>1</sup>

However, solitary public diplomacy was observed in PM Narendra Modi's government during Modi's meeting with Nawaz in 2015. Despite the fact that both nations share common norms and cultures such as language, weather, clothing, traditions, festivals, agricultural products, customs, and so on, cultural exchange occurs because these norms and values are binding phenomena between both countries. Although Pakistan and India have significant diplomatic differences, the above-mentioned common norms will help to reduce tension and hostility between the two South Asian countries.

The role of the Rashtriya Swayamsevak Sangh (RRS) and other extremist organizations in Modi's BJP government is expanding, creating hostility, particularly against Muslims. As the PM Modi currently functions with the Rashtriya Swayamsevak Sangh and its allied groups, which make Indian society more radical and extremist generally against Muslims of India and particularly Pakistan state, this is affecting public diplomacy between both countries.

Public diplomacy also faced several internal and external barriers and obstacles in both nations. In general, there are four wars 1948-1965-1971-1999, both having nuclear arsenals (India in 1974 and Pakistan in 1998), Babari Masjid 1992, and especially in the BJP, both governments, Kargil Conflict 1999, Gujarat Massacre 2002, Mumbai Attacks 2008, Uri incident 2016, Pathankot, Palwama Attack, Balakot Incident Air Strikes 2019, extremist elements, non-state actors, identity, ideology, and so on. Particularly Jammu and Kashmir, which is always a flashpoint and core dispute between both nations. Every time Public Diplomacy is derailed by an incident in Jammu and Kashmir

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<sup>1</sup> Saeed Khan et al., "Public Diplomacy Between Pakistan and India: An Analysis," 2, no. 1 (n.d.): 83-97.

Pakistan and India are both leading states in the south Asia region, and it is in the interest of both nations to establish good relationships at different levels for the peace and prosperity of both countries as well as the region.<sup>2</sup>

While comparing PM Atal Bihari Vajpayee and PM Narendra Modi's leadership facets one can comprehend that PM Vajpayee was moderate and had a democratic spirit, whereas PM Modi is a hard liner and a Hindutva icon. PM Vajpayee's government was considered much stronger in the context of public diplomacy, as reflected above in public diplomacy events, as compared to PM Modi's government, because Modi's style of governance is one of constant threat and radicalization, which has hampered the public diplomacy process between both countries.

### **Literature Review**

During the past few decades, India made significant investments in both traditional and emerging approaches to create and strengthen its soft image before the world. India utilized several public diplomacy strategies and forms, and it's an effective use of public diplomacy. It invested heavily because of several factors, particularly its interest in countering China's and Pakistan's perception and growth in this regard.<sup>3</sup>

Pakistan and India share several elements and features, including legacy, customs, traditions, borders, visitors, antiquity, and history, so there ought to be a friendly relationship between the two nations, and it is not generally to savagely disparage the neighbor, it ought to be met with repugnance by all educated and learned residents of

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<sup>2</sup> Khan et al., "Public Diplomacy Between Pakistan and India," 83-97.

<sup>3</sup> Ian Hall, "India's New Public Diplomacy: Soft Power and the Limits of Government Action," *Asian Survey* 52, no. 6 (November/December 2012): 1089–1110.



these nations who can persuade the state entertainers to open hands for a tranquil and peaceful relationship.<sup>4</sup>

India utilizes a unique public diplomacy system that gives exceptional concentration to its tremendous delicate/soft power, social legacy, and maturing diasporas. In 1948, the Ministry of External Affairs laid out the External Publicity Division to exchange India's rich inheritance, traditions, and culture with the communities of the nations. In this context, in 2006, the Indian Government laid out an independent Public Diplomacy Division inside the Ministry of External Affairs.<sup>5</sup> The core and essential goal and objective of public diplomacy are to protect and promote national interests, and to achieve this, one must employ and connect directly with people of other countries to peruse and influence their governments.<sup>6</sup>

Considering India's independence, every head of government positioned the neighborhood as a pinnacle priority in its overseas coverage. Nonetheless, on this attempt, Pakistan has been facing a difficult situation and this remains the case for Prime Minister Narendra Modi. In this regard, this paper examines three years of the Modi era policy towards Pakistan and its implications for the bilateral relationship of both the countries. It will eventually indicate potential measures that the administration could take to strengthen bilateral ties and ensure peace in the South Asian region.<sup>7</sup> To

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<sup>4</sup> Muhammad Ibrar et. al., "Pakistan's Cultural Diplomacy with India," *Journal of Law and Society*, 40, no. 55 & 56 (2010): 41-50.

<sup>5</sup> Nicolas Blarel, *India: The Next Superpower?: India's Soft Power: From Potential to Reality?*, London School of Economics and Political Science., 2012, <https://eprints.lse.ac.uk/43445/>.

<sup>6</sup> Azka Gull, Shabnam Gul, and Shujat Ali, "Appraisal of Public Diplomacy Strategies of Major States: Lessons for Pakistan" 2020 (2020): 307-16, [https://doi.org/10.31703/grr.2020\(V-III\).32](https://doi.org/10.31703/grr.2020(V-III).32).

<sup>7</sup> Ryan, Cooper, and Tauer, "The Narendra Modi Government's Policy Towards Pakistan," *Paper Knowledge: Toward a Media History of Documents* 21, no. 4 (2013): 12-26.

achieve the desired national interest and goals, evaluate the public diplomacy strategy, tools, and policies used by several countries, including the United States, the United Kingdom, China, South Korea, India, and Pakistan.<sup>8</sup>

Another pivotal element of Indian public diplomacy is the focus on Indian Diasporas, and to achieve that target, the Indian government has from time to time launched various campaigns and connected with them. Pravasi Bharatiya Divas is one of the programs to connect with the diaspora. Indian Diasporas are also notorious for severing national interests.<sup>9</sup> In this context, there are a few success stories of the effective use of Diasporas: first, a collaboration between the Indian diaspora and the United States of America business community known as USINPAC. Second, the USA-India friendship council was critical in promoting and protecting the nuclear agreement with US lawmakers and public opinion.<sup>10</sup>

Tension between both the countries increased in 2019 after air strikes from both sides as both nations took an antagonistic and aggressive stance against each other, as well as the Indian revocation of Articles 35 'A' and 370 in the Kashmir context. He also narrated various cultural aspects like the Kartarpur Corridor, films, visits to religious shrines, cultural agreements, the media campaign 'Amna Ki Asha', etc. Social and cultural associations, as well as an interaction between the people of both sides, are necessary, as is the need of the time to jointly struggle against enmity, hate politics, bigotry, rhetoric, etc.<sup>11</sup>

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<sup>8</sup> Azka Gull, Shabanum Gul, and Ali, "Appraisal of Public Diplomacy Strategies of Major States," 307-16.

<sup>9</sup> Ritambhara, "On Indian Public Diplomacy," *E-International Relations*, 2013, 1–11, <http://www.e-ir.info/2013/04/30/on-indian-public-diplomacy/>.

<sup>10</sup> Blarel, "India: The Next Superpower?,"

<sup>11</sup> Rushali Saha, "The Shrinking Space for Cultural Diplomacy between India and Pakistan," *South Asian Voices*, 2020, <https://southasianvoices.org/the-shrinking-space-for-cultural-diplomacy-between-india-and-pakistan/>.

Only a few key incidents and events highlighted public diplomatic relations between both nations, particularly from 1999 to the present, like public diplomacy through cricket, various bilateral tours of the leadership of both sides, and the role of the media as well. The inference of sport, particularly cricket diplomacy, in maintaining Pak-India ties fosters cultural diplomacy.<sup>12</sup> One of the essential parts of Indian public diplomacy is the specific focus on and attention paid to the Diasporas of India. Keeping in mind the Indian Diaspora, the Government of India relies on national radio services instead of national television.<sup>13</sup> As far as sport diplomacy goes, India has used cricket diplomacy to improve its relations with Pakistan's government from time to time.<sup>14</sup>

In the progression, evolution, and conduct of the existing literature review, its recognition and strengthening of the stance that there is a gap that needs to be addressed. Although public diplomacy between India and Pakistan has received much attention, it is also analyzed in the form of articles, books, reports, and other materials written by scholars, policymakers, legal experts, and political and strategic analysts. However, most of the intellectual work is of a general nature, public diplomacy will be addressed in the context of both the BJP governments of 1998 and 2014. In the light of all the above discussion, a few questions need to be addressed, such as:

- Had there been some common effectiveness in the public diplomacy strategies in both BJP governments?
- Can the role and nature of leadership affect public diplomacy?

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<sup>12</sup> Khan et. al., "Public Diplomacy Between Pakistan and India : An Analysis," 88-93.

<sup>13</sup> Hall, "India's New Public Diplomacy Soft Power and the Limits of Government Action."

<sup>14</sup> Madhumati Deshpande, "Sports Diplomacy and International Relation : A Case Study of India," *Journal of Emerging Technologies and Innovative Research (JETIR)*, 6, no. 3 (2019): 530–35.

- What were the internal and external barriers to public diplomacy faced by both BJP governments?
- Was Kashmir a pivotal point and decisive factor in public diplomacy under both BJP governments?
- Under which BJP government did enmity and hostility between both nations diminish through public diplomacy?

This study utilizes qualitative and in-depth descriptive methods to investigate Indo-Pak public diplomacy under the BJP governments. The purpose of this exploratory study was to gather real, in-depth information about both the governments and leadership's attitudes and behaviors towards public diplomacy. A conceptual framework suitable for structural liberalism suitable for the study will be employed to analyze and evaluate in the context of a geo-political and geo-strategic scenario, that is, whether it can decrease enmity and hostility between both nations and otherwise.

### **Public Diplomacy in PM Atal Bihari Vajpayee's Government**

Prime Minister Atal Behari Vajpayee visited Lahore, Pakistan, through bus services in 1998, along with a high-level delegation consisting of parliamentarians, officials of foreign offices, technocrats, businessmen, media, etc. During his stay in Pakistan, in addition to his official meetings at different levels, he visited Lahore Manto Park (Minar-e Pakistan), currently known as Iqbal Greater Park. During a speech, he said that he accepted and recognized Pakistan and signed the Lahore Declaration, which was a significant development between both nations. This visit was a good-will gesture that created friendly relations between both sides. International media also highlighted this event, which created a good re-opening of cordial relations between both nations.

Another public diplomacy factor was an interaction in the sports arena. During PM Vajpayee's visit to the United States in New

York, the Indian Prime Minister, Vajpayee, and the Pakistan Prime Minister, Main Muhammad Nawaz Sharif, agreed for Cricket Diplomacy through a cricket series between both countries. Pakistan's cricket team visited India for a tour consisting of test and ODI matches, and the atmosphere remained pleasant throughout the visit. Subsequently, India's cricket team visited Pakistan. During this visit, the people of Pakistan welcomed the Indian team with great hospitality and zeal. In 2005, 2006, and 2007, Indian Prime Minister Atal Bihari Vajpayee continued his goodwill gesture of cricket diplomacy.

During Prime Minister Atal Bihari Vajpayee's tenure, the bus service initiative was another success story. This bus service has a bridge role between both nations and helped release tension on both sides. Bus services were provided with a true people-to-people contract, which brought people closer together and reduced enmity on both sides. Samjhota Express was another stumbling block for public diplomacy, as it reduced the image of enmity and hostility; however, this initiative was purely for the benefit of the people on both sides.

During Prime Minister Atal Bihari Vajpayee's regime, there were several initiatives and goodwill gestures in various areas, particularly in religious tourism, as during this period thousands of Sikh pilgrims visited Pakistan and visited their religious sites in Sheikhpura, Nankana Sahab, Sucha Suda, Hasan Abdal, Kartipur, etc. In this period, the Sikh community and other Indian minorities feel safe travelling to Pakistan, which strengthens public diplomacy. Track II diplomacy also remained functional during Prime Minister Atal Bihari Vajpayee's era, despite the Kargil War and the 2002 Boarder Standoff, with a regular hot line at the Directorate General of Military Operations (DGMO) level and other levels. The role of the media was also virtuous due to the exchange of media personnel, journalists, and so on.

## **Public Diplomacy in PM Narendra Modi's Government**

Unlike Prime Minister Atal Bihari Vajpayee's tenure, Prime Minister Narendra Modi's tenure had only one public diplomacy event when PM Narendra Modi met with Prime Minister Main Muhammad Nawaz Sharif; there were no official visits of both Prime Ministers to their respective countries except once, when PM Narendra Modi came for a few hours unofficial visit to Lahore on the wedding ceremony of Prime Minister Main Muhammad Nawaz Sharif's granddaughter in Jatti ummara.

Secondly, as far as sports diplomacy, particularly in cricket, there were no bilateral series between Pakistan and Indian cricket teams. Other sports activities were also scattered, despite the well-established fact that the people of both nations want to see sports activities in both countries. Particularly, they want to see cricket, as both nations have great potential, and it can have an even bigger impact than the Ashes Series.

Social and cultural diplomacy can most suitably be characterized as a course of activities fixated on utilizing the trading of perspectives, morals, customs, and different highlights of a culture. Social diplomacy is utilized by the public, the government, as well as private divisions, areas, and common societies to either speed up social cooperation, strengthen relationships, or support state prosperity.<sup>15</sup> However, there has been no significant development as far as cultural exchange despite the fact that both nations share common norms and cultures such as language, weather, clothing, traditions, festivals, agricultural products, customs, etc. These norms and values are binding phenomena between both countries.

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<sup>15</sup> Areeja Syed, Sohail Ahmad, and Muhammad Makkey Bhutta, "Cultural Diplomacy: A Tool for Pakistan's Positive Image Internationally," *Liberal Arts and Social Sciences International Journal (LASSIJ)* 3, no. 2 (2020): 85–95, <https://doi.org/10.47264/idea.lassij/3.2.11>.

Although Pakistan and India have severe diplomatic differences, the common norms mentioned above will help to alleviate tension and hostility between the two South Asian countries; however, neither cultural exchange nor progress on other fronts occurred during PM Narendra Modi's tenure. This period may be the worst for the Indian government in terms of public diplomacy because PM Modi is currently working with the Rashtriya Swayamsevak Sangh (RSS) and its allied groups, which make Indian society more radical and extremist in general against Muslims in India and particularly Pakistan, affecting public diplomacy between the two countries. The situation got worse when PM Narendra Modi annulled 370 and 35A in Jammu and Kashmir on August 5, 2019 and abolished the special status of Jammu and Kashmir. The rise of the RSS and its allied wings has also created insecurity among India's minorities, particularly Muslims, sabotaging all public diplomacy efforts.

### **Difference between Attitude and Nature of Leaderships**

There are several factors that distinguished PM Atal Bihari Vajpayee and PM Narendra Modi. To begin understanding the nature of leadership attitude and behavior, PM Atal Bihari Vajpayee had a moderate and democratic spirit; however, PM Narendra Modi is a hardliner and the Hindutva and the RSS ideology icon, which is the fundamental difference between both Indian Prime Ministers. Secondary, one of the most significant differences is that PM Atal Bihar Vajpayee always worked and performed his functions in accordance with the party manifesto and the BJP's organizational structure. However, PM Modi neither worked and performed as per the party manifesto nor within the party structure; instead, PM Modi has been working outside of the party structure and mostly relying on Hindutva and the RSS and its allied organizations, which create hostility, particularly against Muslims and Pakistan. Modi is collaborating closely with the RSS and its affiliate organizations, which are causing Indian society to become more radical and

extremist against Muslims in India and Pakistan, affecting public diplomacy between the two countries.

Tertiary, PM Vajpayee, and the senior leadership of the Bharatiya Janata Party had democratic credentials as compared to PM Modi's style of governance. PM Modi believes that he can work with, assert, and draw power from India's extremist and radical segments and ideologies, such as the RSS) and Hindutva, among others. On the surface, the BJP is now led by hardliners such as Amit Shah and RSS leaders.

As far as ideology is concerned, apparently the ideologies of the RSS and Bharatiya Janata Party are the same, as PM Modi reiterated and used the old stance of one of the RSS leaders, Mohan Bhagwat, in his election campaign that 1.3 million people are part of Hindu society through his slogan, 'sabka saath, sabka vishwas'.<sup>16</sup> One of the crucial elements that distinguishes PM Modi from PM Vajpayee is the effective utilization of technology for political purposes and motives, and because of this factor, PM Modi has a clear advantage over his political rivals. The BJP gradually adopted technology at all levels, particularly at the lower levels.<sup>17</sup>

### **Barriers of Public Diplomacy in Prime Minister Vajpayee's Government**

Public diplomacy always faces several internal and external barriers and obstacles. In general, there have been four wars (1948-1965, 1971-1999), two of which had nuclear arsenals (India in 1974, Pakistan in 1998). Babari Masjid 1992 and, more specifically, in BJP both Governments, Collation Government, Kargil conflict 1999, Gujarat massacre 2002, Mumbai attacks 2008, Uri incident

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<sup>16</sup> Syed Shah Nawaz Hussain, "India's New Public Diplomacy Soft Power and the Limits of Government Action," n.d.

<sup>17</sup> Arun Anand, "BJP under Modi Is Flexible, Opened Doors for Rebel Leaders from Other Parties," n.d.



2016, Pathankot 2016, Palwama attack 2019, Balakot incident air strikes 2019, extremist elements, non-state actors, radicalization, identity, ideology, and so on.

### **Collation led Government**

In terms of internal barriers, PM Vajpayee's government is a coalition government comprised of the Bahujan Samaj Party (BSJ), the All-India Anna Dravida Munnetra Kazhagam (AIADMK), the Shiromani Akali Dal (SAD), the National Conference (NC), and the Trinamool Congress (TC) Shiv Sena, among others. Coalition government is always limited and reliant on its allies on political, economic, and diplomatic fronts, particularly on the public diplomacy front, which is a facade optics. But despite Atal Bihari Vajpayee's coalition, the government remained less radical and pro-public diplomacy under PM Narendra Modi. The Bharatiya Janata Party (BJP) has been successful in uniting the anti-Congress forces under the banner of the National Democratic Alliance (NDA). The presence of the BJP as a strong pillar in the coalition, the charismatic leadership of PM Vajpayee, and the skillful way in which diverse interests are accommodated ensured the stability of the coalition government. The NDA Government, led by Prime Minister Atal Behari Vajpayee and the BJP, appears to be more stable than previous coalition governments.<sup>18</sup> The breakdown of public agreement on a parliamentary greater role in India, a peculiarity that is typical of the capacity of parliamentary states in developing countries, has prompted a recent fad, alliances.<sup>19</sup>

Another barrier to Vajpayee's government was the Kargil war or Kargil conflict between Pakistan and India from 3 May to 26 July

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<sup>18</sup> S . H . Patil, "India's Experiment with Coalition Government at the Federal Level," *The Indian Journal of Political Science*, 62 , no. 4 (December 2001): : 586–93.

<sup>19</sup> M.G. Khan, "Coalition Government and Federal System in India," *News.Ge* 64, no. d (2003): <https://news.ge/anakliis-porti-aris-qveynis-momava>.

1999 in the Kargil district, (LOC). During this half-war or conflict, thousands of soldiers died on both sides. Remember that at the same time Prime Minister Atal Bihari Vajpayee visited Pakistan and the joint Lahore Declaration was passed, but this incident created hostility between both countries and the peace atmosphere fizzled out.

The issue of Kargil and its emergency seemed to have serious qualms and concerns about a potential threat towards a conventional war, which would then lead to a nuclear conflict. According to India, the main takeaway from Kargil is that managing Pakistan as it currently stands will be extremely dangerous and may even legitimize insignificant contact with Islamabad. This was the view communicated by a wide cluster of political pioneers, experts, and military authorities in India, in light of multiple factors.<sup>20</sup>

## **2002 Standoff**

After Kargil war, there was a Military standoff between Pakistan and India. From December 13, 2001 to June 10, 2002, India was embroiled in a dispute over missing soldiers, which both sides claimed. It was a second major military clash between two nuclear states after Pakistan's successful explosion on May 28, 1998. Tension was eventually released when the then president of Pakistan, General Pervez Musharraf, shook hands with Indian Prime Minister Atal Bihari Vajpayee at the SAARC conference in Katmandu. However, this incident created hostility, and public diplomacy suffered. People who have a good understanding of both countries believe that both sides are dangerously close to war. However, Pakistan is not interested in war, particularly in the 2002 standoff because, after 9/11, the Americans were conducting a massive operation in Afghanistan, and in this context, two

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<sup>20</sup> Khan. "Coalition Government and Federal System in India."

prominent military cultures were engaged at the western border of Pakistan in the war against terror. As a result of its current engagement on the western border, Pakistan is not fully prepared. As a result of the ambiguity, it is extremely difficult to access and understand India's true stance and intention regarding this standoff, neither at that time nor now.<sup>21</sup>

### **Jammu and Kashmir**

Kashmir has always been a flashpoint between both the countries since its creation. Both sides are under public pressure on this issue. A single incident in Jammu and Kashmir can spark hostility, aggression, and tension on the border. This conflict has already caused three major wars (1974, 1965, and 1971), as well as one half-war (1999). Jammu and Kashmir has always been and will continue to be a focal point of both countries' foreign policy, particularly in terms of public diplomacy. Without solving the core dispute of Jammu and Kashmir, which is a complex phenomenon, it is hard to normalize the relationship between India and Pakistan. It is an established fact and hard reality that without the resolution of Jammu and Kashmir's core dispute, no significant development or improvement in the relationship appears feasible and relational in the fields of politics, economics, military affairs, public interaction, and social or strategic relations.<sup>22</sup>

### **Barriers of Public Diplomacy in PM Modi's Government**

**Identity and ideology:** In Modi's BJP government, the role of the RSS and other extremist organizations is expanding, which creates hostility, particularly against Muslims and other minorities. PM

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<sup>21</sup> Alex Stolar, *To the Brink: Indian Decision-Making and the 2001-2002 Standoff* Report No. 68, (Washington: The Henry L. Stimson Center, 2008), 1–32.

<sup>22</sup> Waqar-un-Nisa, "Pakistan-India Equation: Determinants, Dynamics and the Outlook," *Policy Perspectives: The Journal of the Institute of Policy Studies* 14, no. 1 (2017): 23–57, <https://doi.org/10.13169/polipers.14.1.0023>.

Narendra Modi is collaborating closely with the RSS and its affiliated organizations to radicalize Indian society against Muslims in India and Pakistan. Neither Muslims nor other minorities in India feel secure; they feel threatened. During PM Narendra Modi's regime, the secular image of India has been exposed. Under such circumstances, Muslims in India have been facing an identity crisis or dilemma, which affects public diplomacy between the two countries.

**Uri Incident 2016:** On September 18 at the town of Uri, near Indian Army Headquarters in Indian-occupied Kashmir nineteen casualties of Indian forces were reported in an attack. India allegedly claimed that the attack was carried out from Pakistan by insurgents of the Muslim militant organization, Jaish-e Muhammad. This incident created tension and badly affected public diplomacy between both countries.

Subsequently, India dropped its support for the nineteenth SAARC summit, scheduled for November in Islamabad. The Ministry of External Affairs made an assertion, saying, "India has passed on to current SAARC Chair Nepal that rising crossline psychological oppressor assaults in the locale and developing obstruction in the inner undertakings of Member States by one nation have established a climate that is not helpful for the effective holding of the nineteenth SAARC Summit in Islamabad in November 2016." It further stated, "In the overall conditions, the Government of India cannot take part in the proposed summit in Islamabad," the assertion said. On India pulling out from the booked SAARC highest point in Islamabad, Pakistan's Foreign Office named the withdrawal 'lamentable' and posted a response expressing: "Concerning the reason utilized by India, the world realizes that India has been executing and supporting psychological warfare in Pakistan." The assertion incorporated a reference to Indian public official Kulbhushan Jadhav, kept by Pakistan for surveillance, and blamed

India for disregarding global regulations by meddling inside Pakistan. Following that, Afghanistan, Bangladesh, and Bhutan withdrew from the summit. On September 30, 2016, Pakistan stated that the planned culmination in Islamabad on November 9 and 10 would be hung on an election date.<sup>23</sup>

**Pathankot Incident:** Attack was committed on January 2, 2016, in Pathankot Air force base at Indian Punjab, again allegedly blamed to Jaish-e Muhammad. Several security personals and one civilian were died in this incident. As a result, Indo- Pak relations suffered, and tension rose and a setback to public diplomacy. However, Pakistan Foreign Office spokesperson Qazi Khalilullah condemned the attack and disassociated from this incident.

**Pulwama Attack and Balakot Air Strikes:** On February 14, 2019, a vehicle carrying a suicide bomber, a local young Kashmiri named Dar Adil Ahmad, caused more than 40 casualties, and dealt serious blows to Indo-Pak relations, particularly on the security and public diplomacy fronts, on the Srinagar National Highway in Lethapora, Pulwama district, Jammu and Kashmir, on the Indian Military Convey. Following that, on February 26, 2019, the Indian Air Force allegedly entered Pakistani airspace over Balakot, Khyber Pakhtunkhwa province, and destroyed a militant terrorist campus. But the independent sources confirmed and revealed that no such campus was hit. The Pakistani air force shot down two Indian fighter jets the next day, captured an Indian pilot, and returned on March 1, 2019. The Indian Mi-17 military helicopter was also shot down in friendly fire by Indian air defense. This incident once again heightened hostility and tension, undermining Indo-Pak public diplomacy efforts.

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<sup>23</sup> "PM Narendra Modi Will not Attend SAARC Summit in Pakistan," n.d.

**Extremist Elements and Non-State Actors, etc.:** In the presence of extremist elements and non-state actors, peace, prosperity, and public diplomacy (people-to-people contracts) between both sides always remained uncertain, as any insurgent incident created tension and aggression. It is evident that PM Narendra Modi's government is closely linked to and associated with RSS philosophy. During this time, the rise of RSS philosophy has been observed, and as a result, public diplomacy on both sides has suffered.

**Jammu and Kashmir:** During PM Narendra Modi's government on August 5, 2019, the Indian Parliament withdrew the special status of Jammu and Kashmir under Article 370 of the Indian Constitution and declared that its constitution is applicable to Jammu and Kashmir as well. PM Narendra Modi's government also abolished the 35A in Jammu and Kashmir and imposed a lockdown and curfew for an indefinite period. Although this decision was welcomed in many parts of India, however, a huge reaction also came to the ban and restrictions on the sources of communication, freedom, liberty, and human rights. It is pertinent to mention here that the Pakistani and Chinese governments reacted and expressed concerns. Hence, I want to bring this issue to the United Nations Security Council to stop such restrictions.<sup>24</sup> Jammu and Kashmir, since the independence, remained the flashpoint and core dispute between both sides, as Kashmir is an inevitable reality. The worse conditions, particularly human rights violations generally in India and particularly in Jammu and Kashmir, further deteriorate the public diplomacy between India and Pakistan. International reaction was extraordinary, especially after the revocation of Article 370 and 35A. Although several countries favored decision, considering it an internal matter of India. They also considered that all disputes, including those in Jammu and Kashmir, should be settled through

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<sup>24</sup> Khalid Shah and Kriti M. Shah, *Kashmir After Article 370: India's Diplomatic Challenge*, 2020.

negotiation and dialogue accordingly. Furthermore, several Indian close associates and strategic allies have expressed grave concern and criticism about various aspects of this decision and these restrictions, such as the arrest of political leaders, the violation of human rights and civil liberty, and the collapse of independent media and communication and networking sources. No doubly for India; at present, the core diplomatic concern and issue is to contest and answer the claim that the State of India is overturning the basic rights of the people of Jammu and Kashmir.<sup>25</sup> Mindset, mistrust, and intensity are the other barriers and obstacles to public diplomacy that give a substantial setback to the efforts at public diplomacy between both nations.

## **Conclusion**

Primarily, it has been evident that the government of Prime Minister Atal Bihari Vajpayee has a good record of public diplomacy as reflected in various events and efforts, including bilateral visits, sports diplomacy, and the Lahore Declaration, although this development was affected by the Kargil War. PM Vajpayee's government remained much better as compared to the government of PM Narendra Modi. PM Vajpayee was moderate and less radical than PM Modi's government. In terms of attitude and behavior, PM Vajpayee was moderate and democratic. PM Narendra Modi, on the other hand, is a hardliner and a symbol of the RSS and Hindutva. One of the most significant differences is that Prime Minister Atal Bihari Vajpayee always worked and performed his functions in accordance with the party manifesto and within the BJP's organizational structure. However, PM Modi neither worked and performed as per the party manifesto nor within the party structure; instead, PM Modi has been working outside of the party structure and mostly relying on Hindutva and the RSS and its allied

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<sup>25</sup> Khalid Shah and Kriti M. Shah, *Kashmir After Article 370*.

organizations, which make Indian society more radical and extremist generally against Muslims of India and particularly Pakistan, which affects public diplomacy between both countries. In both BJP governments, several incidents took place that were considered barriers and obstacles in improving relations of both the countries. However, the Kashmir dispute has always remained a flashpoint and a pivotal factor in the relationship between the two countries, with even a minor incident in Jammu and Kashmir sparking and triggering hostility, antagonism, and tension on both sides' borders, hampered and jeopardizing all efforts made by any government on either side towards public diplomacy.





# Lawfare, its Prospects and Strategies for Pakistan: The Kashmir Case

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# Lawfare, its Prospects and Strategies for Pakistan: The Kashmir Case

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## **Abstract**

*The 74-year military occupation of Jammu and Kashmir is regarded as the longest in modern history, with approximately 700,000 armed forces deployed in UN-recognized Disputed Territory. Political and legal experts believe that the unilateral annexation of Indian-occupied Jammu and Kashmir (hence referred to as IOJK) on August 5, 2019 altered the region's status from colonialism to settler colonialism. With at least forty (40) constitutional and administrative amendments influencing the demographic condition of IOJK, the Bharatiya Janata Party (BJP) government planned lawfare campaign in 2019 posed a severe threat to the civilian population. Surveillance, detentions, and fear politics—a three-pronged strangling paradigm shaped the security theology of the Indian state to dominate Kashmir. In the case of Kashmir, India has been consistently violating international law since the beginning of the conflict. From its illegal occupation to its refusal to implement UN Security Council decisions, India is consistently exhibiting a disregard for international law while imposing a repressive system filled with human rights violations and crimes against humanity. To counter a focused, detailed, and well-resourced lawfare campaign*

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*led by Pakistan and Kashmiris is essential to support our diplomatic efforts. The primary purpose of this paper is to analyze the reasons which make it necessary for Pakistan to emphasize on Lawfare regime.*

**Keywords:** Lawfare, Kashmir, Humanitarian Law, Human Rights.

## **Introduction**

Kashmir has been a burning issue, owing to the three nuclear-armed countries engulfing it and the never-ending human tragedy that has been unfolding there for the past twenty-five years and, in a less intense version, for decades before that. In 2004, Kashmir became ‘the highly militarized territory in the world,’ with ‘one soldier for every ten people.’<sup>1</sup> According to Amy Hawkins, the world is harvesting the crop of turmoil sown by the British Empire, and “locals are still paying for the disaster the British left behind in Hong Kong and Kashmir.”<sup>2</sup> To comprehend the modern political dynamics and violence in Kashmir, it is necessary to contextualize this assertion in order to trace the genealogy of this conflict. Anti-colonial uprisings in India, China, the Arab world, and others did not result in independence or democracy for the nations ruled by the British Empire. The issue has its roots in India’s partition plan, which gave 565 princely states the option of joining either India or Pakistan based on religious, geographic, economic, and ethnic affiliations.<sup>3</sup> Despite the fact that Jammu and Kashmir was the only Muslim majority state that desired to join Pakistan, Maharaja Hari Singh’s instrument of accession to India drew India and Pakistan into three wars since 1947, the first two of which were over

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<sup>1</sup> Sikander Ahmed Shah, & Uzair J. Kayani, *War to Lawfare: Spotlighting the India-Pakistan Conflict* (Jinnah Institute, 2019).

<sup>2</sup> Mona Bhan, “Militarism, Humanitarianism, Occupation,” in *Routledge Handbook of Critical Kashmir Studies*, (Taylor and Francis, 2022), 93-96.

<sup>3</sup> Bruce Hoffman, & Haley Duschinski, “Contestations Over Law, Power and Representation in Kashmir Valley,” *Interventions* 16, no. 4 (2014): 501-30.

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Kashmir, and the confrontation on the borders [LOC] continues to escalate tensions between India and Pakistan. Since then, India committed genocide, ethnic cleansing, and crimes against humanity, all while violating fundamental human rights recognized by the United Nations. The invading Indian forces slaughtered around 100,000 innocent peasants, illegally held thousands in detention camps, and imposed a slew of draconian laws that violated fundamental human rights.<sup>4</sup> Kashmir is a source of conflict between India and Pakistan, both of which have nuclear weapons. In Indian-administered Kashmir, the Indian state's authority necessitates the employment of discipline and death as social control methods. The militarized governance system in Kashmir needs dispersed and intense types of psychosocial management. India's goal as an established nation-state has been to discipline and incorporate Kashmir within its borders.<sup>5</sup> To achieve so, the Kashmiri peoples had to be tamed using pain and death as selective regulatory mechanisms. Military presence, monitoring, punishment, and terror all have an impact on discipline. To administer death, both 'extrajudicial' and 'legal' procedures are used. Using death and deception, psychosocial control is employed to chastise the living. Discipline promotes amnesia, isolation, and depoliticization.<sup>6</sup> Kashmir has become one of the most militarized locations on the planet. According to sources, almost seven million soldiers have been deployed, with an extra million people just dispatched, to confront what the Indian army claims is now a small group of 'Islamist terrorists.' Facts deny this myth and reality is totally opposite to it which can be proved with a detailed analysis of the events that took place during last three decades. Prime Minister of

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<sup>4</sup> Hoffman, & Duschinski, "Contestations Over Law, Power and Representation in Kashmir Valley," *Interventions*, 501-30.

<sup>5</sup> Hoffman, & Duschinski, "Contestations Over Law, Power and Representation in Kashmir Valley," *Interventions*, 501-30.

<sup>6</sup> Inamul Haq, "Law and Detention: A Critical Analysis of Law in the Kashmir Valley"

Pakistan Imran Khan reiterated in his UN general assembly speech: What India has done in Kashmir over the last 70 years is unfathomable and reprehensible to the rest of the world. An estimated 70,000 people have been killed in the battle, thousands have gone missing, scores of women have been raped, hundreds have lost their sight because of pellet guns, and tens of thousands have passed through torture such as Abu Gharib. The vast majority of armed insurgents operating in the valley today are young Kashmiris who have witnessed and experienced the most horrible forms of brutality. They are armed and trained on the spot. They do so knowing full well that once they pick up a firearm, their ‘life expectancy’ is unlikely to be more than six months, and in some cases, like in the case of Mohammad Rafi, an assistant professor of sociology at Kashmir University, it may be as little as 48 hours. When a kid is killed, tens of thousands of Kashmiris go to bury the victim, who is revered as a shaheed, or martyr.<sup>7</sup> The people of Jammu and Kashmir are fighting for their rightful right to self-determination, which has been recognized by international peacekeeping organizations and civilized nations alike, but India refuses to acknowledge it. Meanwhile, in India, years of mismanagement and brutal government laid the way for an uprising in the late 1980s, and Srinagar’s streets experienced a new phase of the intifada. Major demonstrations of civilian killings, kidnapping, extra-judicial killings, gang rape, and property devastation were documented across the region as Indian police violently quashed the legitimate demand. In violation of international human rights law, the Indian central government enacted draconian legislation and provided cover for Armed Forces stationed in Jammu & Kashmir to perpetrate overt crimes of genocide.<sup>8</sup>

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<sup>7</sup> Haq, “Law and Detention.”

<sup>8</sup> C. Christine Fair, “India’s Move in Kashmir: Unpacking the Domestic and International Motivations and Implications,” *Lawfare*, August 12 (2019).

## **Human Rights Violations in Indian Occupied Kashmir**

Nation-states have authority over their internal and external policies, and they are accountable for not protecting their inhabitants from damage and danger. They enact specific legislation to protect citizens' fundamental rights and keep them secure from persecution. India's democratic and secular worldview is regularly lauded. Nevertheless, the crisis in Indian occupied Kashmir and Jammu remains perplexing. Since the establishment of Pakistan, Indian occupation troops have been brutally abusing the basic humanitarian demands of the people in Indian occupied Kashmir and Jammu. Paramilitary forces engage in systematic killings and grave abuses of basic human rights on purpose, and they use a litany of harsh laws to justify their brutal treatments and killing of innocent citizens. After 1989, dictatorial enforcers have killed hundreds of thousands of Kashmiris to alter the region's demographics.<sup>9</sup> Human rights situations deteriorated considerably when Indian troops launched a 'capture and kill' campaign against suspected insurgents in late 1992 and early 1993. The number of convicts executed summarily by security personnel has escalated since then. The violation of human rights and criminal activities carried out by the Indian Armed Forces and terrorist organizations in Kashmir had been monitored by the Physicians for Human Rights (PHR) and Asia Watch in 1992.<sup>10</sup>

In April 1993, a report conducted by Asia Watch, sent another convoy to Indian Occupied Kashmir in response to an increase in savage reprisal in opposition to the Kashmiri citizens and violation of human rights in the year 1992 and 1993, in partnership with organizations responsible for humanitarian law.<sup>11</sup> The following is a

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<sup>9</sup> Fair, "India's Move in Kashmir."

<sup>10</sup> Fair, "India's Move in Kashmir."

<sup>11</sup> Fair, "India's Move in Kashmir." See Also Nasir Qadri, Musaib Manzoor, & Sabah Aslam, "Atrocity Crimes, Constitutional Onslaught, & Genocide Threat in

detailed list of India's human rights abuses, organized by year, from January 1989 through January 31, 2022.<sup>12</sup>

- More than 95,000 homicide
- More than 7000 Homicides in Custody
- More than 164,000 Civilians detained
- More than 110,000 buildings and entities put to fir and destroyed
- More than 22,000 Women Widowed
- More than 107,000 orphans
- More than 11,000 Women sexually harassed and raped

Following the repeal of Article-370, thousands of people in Jammu and Kashmir were subjected to arbitrary mass arrests and detentions, which also include human right activist from national and international NGOs and leaders from different political parties, attorneys, along with civilians. According to sources, 4,000 persons have been imprisoned since August 5th, at least two weeks later the repeal of the Indian Constitution's Article 370.<sup>13</sup> The administration notified Parliament on November 20, 2019, that 5,161 people had been imprisoned since August 5, with 609 still being held. However, these figures did not include information concerning the laws under which people were arrested or the crimes for which they were arrested. The Act of Public Safety (1978) allowed individuals to be placed in detention centers for not more than 2 years without any charge and have been frequently practiced in Indian occupied Jammu & Kashmir against Human Resource Developments (HRDs) and political activities. Although it has been difficult to establish accurate facts and figures on detention activities and arrests due to the forced restriction over the freedom of expression and sharing of knowledge. The government claimed on September 06, 2019 that it had arrested 3,800 people under the PSA, 2,600 of whom had been

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IOJK: Role Human Rights Watchdogs," *Islamabad Institute of Conflict Resolution* (2022).

<sup>12</sup> Kashmir Media Service, Human Rights Violations in IOJK; Qadri, Manzoor & Aslam. "Atrocity Crimes, Constitutional Onslaught, & Genocide Threat in IOJK."

<sup>13</sup> Lindsay Marie Massara, "Law as Violence in the Post-Colonial State: The Case of Lawfare in Kashmir," PhD Dissertation University of Oregon, 2022.

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released.<sup>14</sup> Many of the individuals victimized to imprisonment and detention have been sent to the jails of different locations of the State of Uttar Pradesh in India like Lucknow, Agra, Varanasi etc. and some in New Delhi. It represents most of the young individuals and low-profile activists.<sup>15</sup>

Moreover, the individuals arrested from the family are not sure of their families and families on the other hand are not provided about the information of the detention camps here their family members are kept, and data has been kept private and their families do not even know the health status of their relatives. PSA successfully identified whereabouts data of 45% of the more than 600 arrested and detained citizens in jails while no clue was found about the 55% of them.<sup>16</sup> As per the plea of 144 juvenile delinquents inclusive of even a 9-year-old submitted by the Committee of Juvenile Justice Courts before Highest Tribunal of India on September 26, 2019, as arrested on August 05. Local human rights organizations' field investigations, on the other hand, appear to suggest that there were far more instances of juveniles being illegally imprisoned, with some being kept for more than 24 hours. In Jammu and Kashmir, 16 incidences of torture have been reported since August 05. Many of those seized during night raids, especially young people, claimed to have been tortured while detained. Many of the arrested teenagers and young men have been accused of sexual abuse.<sup>17</sup> Despite

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<sup>14</sup> Rashida Abbas, Adeela Ahmed, & Muhammad Tabish, "Mediation in Armed Conflict: A Case of Kashmir," *Pakistan Journal of International Affairs* 5, no. 2 (2022).

<sup>15</sup> Abbas, Ahmed & Tabish, "Mediation in Armed Conflict."

<sup>16</sup> Pyar Singh, & Ramesh Chauhan, "Critical Media Analyzation in Review of Scrapping Article 370 from the Indian Constitution: A Case Study of Union Territory Jammu & Kashmir," *Journal Homepage: www. ijpr. com ISSN 2582: 7421*.

<sup>17</sup> Adeela Ahmed, Arsim Tariq & Rashida Abbas, "Demographic Changes in Indian Occupied Jammu and Kashmir (IOJK) and the Future of UN Resolutions," *International Journal of Kashmir Studies* 3, no. 2 (2021).



multiple serious reports of detainee abuse, it is uncertain whether any investigations into these reports have taken place.

### **Kashmir's Settler Colonialism**

We now have settler-colonial overtures in 2020, after five centuries of settler-colonialism premised on the physical, epistemic, and institutional genocide of indigenous peoples, and after the establishment of an entire UN to presumably support a decolonial process following World War II. As this happens, the United Nations, which has already been accused of aiding the construction of another settler-colonial state in Israel, sits back and watches as the Indian state begins to prepare plans for the movement of settlers to Kashmir. To be clear, Kashmir was already colonized by India when it broke free from British colonialism, and it is not a new phenomenon; removing the natives is a long-term process.<sup>18</sup> The Indian state has been involved vigorously for a long time, from confining space to restricting mobility, from large estates to exploitation, from capitalist development colliding with imperial goals to record omissions and thorough monitoring. Recent events are only a subject of ongoing dispossession and slaughter accompanied its control of Kashmir. In the recent past, the Indian government removed the Articles 370 and 35A debilitating the autonomous rights of Kashmiri citizens to attain their political goals, ushering in a new age of settler colonialism. The primary purpose of settler colonialism, on the other hand, is to claim the colonized territory indefinitely: Settler states attract settler classes who 'carry a putative sovereign right to build a new state on someone else's soil.' While the preceding statutes are based on settler colonial logic, the repeal of Article 35A allows for the recruitment of a settler community on indigenous soil. The repeal ensures 'the distinct, irreducible characteristic of settler colonialism, territoriality.' By

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<sup>18</sup> Mark Galeotti, *The Weaponisation of Everything: A Field Guide to the New Way of War* (Yale University Press, 2022).

this action of not retaining these articles of 370 & 35A in Indian Constitution, India can consume the natural resources and devoid the local community of their own status of decision making thereby populating the area of their own resources. Their purpose through settler colonialism is not only to recruit the people of their choice to this disputed land but also to attain the natural resources derived from this land.<sup>19</sup>

As citizens not belonging to Indian occupied Kashmir settle in the state, India's identity as a settler state evolves. By delegating sole authority to Kashmir's legislative assembly to define 'permanent residents,' the 35A Article of Indian Constitution makes sure to retain the genuine identity and integrity of Kashmir in practical terms. With this act of abolition of the afore mentioned Article, the state's government reawakened a long-held threat among Kashmiris: that India will escalate violence in Kashmir, stifle dissent, and employ the people not directly belonging to the occupied territory to water-down the ethnic and religious entities of the indigenous population. Till July 2020, 400,000 people will be accredited to settle in the Kashmir, confirming forecasts that demographic shifts in the Muslim-majority Himalayan province will begin soon. The certificate, which serves as a form of right to citizenship in the area that was previously only available to the local population. The entire objective of repealing this article had been to bring in all kinds of people to the occupied Kashmir and to dissolve demographic identities. This now provides specific tools and empowers so many different types of Indians to have their presence in Kashmir legalized.<sup>20</sup>

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<sup>19</sup> Muhammad Usman Askari & Lal Khan Niazi, "Indian Hybrid War against Pakistan: A Strategic Theory Perspective," *Journal of Indian Studies* 8, no. 1 (2022): 189-208.

<sup>20</sup> Askari, & Niazi, "Indian Hybrid War against Pakistan."

## **Invisibilization in and by Law**

While the preceding statutes are based on settler colonial logic, the repeal of Article 35A allows for the recruitment of a settler community on indigenous soil. The exclusion of colonized people from the legal system is an important part of the settler colonial agenda since it makes them unidentifiable and further dominate them. In this territory, such actions are not related to unavailability or incapability of the rule of law.<sup>21</sup> But it is as how the law determines ‘the parameters of its own suspension, approval, and implementation,’ as explained by a lawyer and researcher. As a result, the law institutionalizes lawlessness, to accelerate the model of transforming demographic representation of disowning, the conflicted state issued habitation rules and regulations that limited natives’ rights to land, property, and jobs. The phrase ‘permanent inhabitants’ has been replaced by ‘domiciles of Jammu and Kashmir.’ According to the order:

Everyone who has stayed in the UT of Jammu & Kashmir for just a period of fifteen years and who may have been schooled for a period of seven years and appeared in the Level course 10th/12th exam in an accredited college situated in the UT of Jammu & Kashmir and who had been enrolled as an expatriate by the Recovery and Rescue Commissioner.<sup>22</sup>

Indian people who have resided in the territory for a certain amount of time can now apply for a ‘property ownership license,’ according to the ruling.<sup>23</sup> Kids of adults who are registered can apply for their own certificates even if they have never visited the territory. These guidelines are applicable to armed officers and their children deployed in Kashmir. Potentially creating a new class of settlers among Kashmir’s hundreds of thousands of armed soldiers. The

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<sup>21</sup> Kalpana Kannabiran, ed. *Routledge Readings on Law and Social Justice: Disposessions, Marginalities, Rights* (Taylor & Francis, 2022).

<sup>22</sup> Omer Aamir, “Kashmir Imbroglia: Moving Beyond the Horizon,” *SSRN 4267400* (2022).

<sup>23</sup> Aamir, “Kashmir Imbroglia.”

decision by the Jammu and Kashmir administration to repeal a 1971 circular requiring the Security Force of Border, Indian Military Force and other forces to get ‘no objection certificate’ while attaining the land in this particular region has also been treated as an agenda to colonial settler.

The rulings also provoked outrage between many residents, who had already long dreaded Delhi’s coercive incorporation of the fractious territory into union of India. However, spectators alleged Narendra Modi’s right-wing government to employ the Covid-19 disease outbreak as an instrument to progress its Hindu colonial settler organization within geographical area, asserting it is a website straight out from the Israeli playbook to change the region’s demographics. ‘J&K’s demography is guaranteed to be modified beyond imagination,’ says Mirza saaib Baig, a Kashmiri lawyer working in the United Kingdom “and at such a fast rate that obtaining a resident certificate will appear to be a quasi-colonial exercise.<sup>24</sup> “By claiming domicile, these non-Kashmiris are now eligible to apply for any local government jobs previously reserved for Kashmiris, such as those in law enforcement or administration.” The removal also allowed for unscrupulous resource mining in the area. Because of Kashmir’s special status, non-local businesses were barred from operating in the territory unless they signed a lease arrangement with the government. Apprehending the repeal, all mining proposals were requested on the internet beginning in January, during a period when internet service in Kashmir was still prohibited. The result was a ‘death blow to [Kashmiri] business’: for the first time, non-Kashmiris acquired almost 70% of Kashmir’s resource extraction contracts. Similarly, disturbing is the state’s authority to integrate ‘strategic areas[s]’ for martial purposes without prior interaction with local governments. As the wholesome

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<sup>24</sup> Aamir, “Kashmir Imbroglia.”

impact of such actions is uncertain, this particular aspect is certain: J&K is currently on the market for sale.<sup>25</sup>

The United Nations and international human rights organizations must intervene immediately in IOJK due to atrocity crimes, constitutional violations, and the approaching threat of genocide. The following part will go through international human rights law and how it sets obligations on various organizations, as well as their effectiveness.

### **Humanitarian Practices as a Fundamental Component of Global Legal Rules & Regulations**

According to a few analysts, commonly recognized humanitarian rights have achieved worldwide law's conventional standing. Throughout this chapter, I would then investigate this assertion and make the argument that an overall legal principle, that is also articulated as a means of resolving disputes in Article 38(1) of the International Covenant of Fairness, is the prescriptive origin of rights public law, enabling for the imposed from certain commitments on global human rights organizations.

### **Human Rights as International Conventional Legal Practices**

Inside the Arctic Ocean Continental Shelves Judgment, the International Court (ICJ) asserted that configuration necessitates verifying all these enduring recognizable roles of the state and evidence of presumption that this exercise is made mandatory by the creation of a legal system needing it. In the area of human rights, nevertheless, it's been contended that proof of tradition might be predicated on General Assembly's resolutions and other international bodies, illustrating the international community at large strong commitment to certain values, whereas inaccurate due

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<sup>25</sup> Aamir, "Kashmir Imbroglio."

process would not have been an obstacle to recognizing such practice.<sup>26</sup>

Put another way, it's been envisioned that state's practice in the area of human rights comprised of approved public statements and ability to participate in the negotiating process of humanitarian law, and the integration of new of human rights into nationwide legal orders, again for specific purpose of customary determination. This viewpoint has been supported by at least two or three arguments. First, separating the 'practice' from *opinion juris* within the substantiation of the beginnings of a rule of customary law may be artificial, so because due process which makes a difference is something that is right role (as it gave testimony to the onset of the rule), as well as the *initio juris* can only be recognized from State practice.<sup>27</sup>

Its 1987 Tautology (Third) of a United Governments International Security Law, in example, thinks that state's practice arises from states' backing for announcements or treaties recognizing civil dignity, or from condemnation of other states' violations. Human rights abuses, on either hand, are particularly difficult to prove since they concern a state's relationship with its own citizens. They elicit less responses from other nations than infractions of civil conventions that jeopardize the other's objectives, thus 'tradition' in the field of human rights would only emerge after considerable effort.

As a result, in the sphere of human rights, a 'modern' view on custom acquired a lot of traction. This viewpoint is offered as a counterpoint to the customary approach stated in Article 38(1) of the

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<sup>26</sup> Sughra Alam Muhammad Nawaz Bhat & Muhammad Waris Awan "Abrogation of Articles 370 & 35A of the Indian Constitution: Implications for Peace in South Asia," *International Review in Social Sciences* (2020): 9-20.

<sup>27</sup> Alam, Bhat & Awan, "Abrogation of Articles 370 & 35A of the Indian Constitution," 9-20.

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Statute of the International Court of Justice. State ‘practice,’ in the traditional sense of ‘action,’ is less determinative than authoritative declarations issued by states or multilateral agencies, according to the ‘modern’ approach.<sup>28</sup>

### **Human Rights as General Principles of Law**

The Tribunal of Prosecutor’s strategy enhances the recognition of the Convention on Human Rights as a form of legal requirements. The Board refused to recognize the Proclamation as just cogens in its totality. It, nevertheless, made frequent allusions to the Article, generally in the context of a particular privilege also without always citing the Declaration’s authority source. “Unjustly dispossessing humans of their liberty and exposing them to physiological restriction in challenging times is patently violative of the UN Charter, as well as the basic tenets elucidated in the Convention on Human Rights,” says the UN inside the specific instance of the Captives, referring to Article 9 of the Universal Declaration, which prohibits random detainment or internment.<sup>29</sup> The terms used to refer to such ‘basic tenants’ are not new. In the Famous Case East Timor, the ‘concept’ of autonomy too was referenced to as ‘one of several essential elements of present international law.’

### **Role of Human Rights Watchdogs amidst Indian Atrocities in IOJ&K**

Human rights, as previously noted, are associated to international law, and generally recognized humanitarian basis are as connectivity on international organizations like the matter of international law. The violations of human rights in Indian-occupied Kashmir pose a

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<sup>28</sup> Alam, Bhat & Awan, “Abrogation of Articles 370 & 35A of the Indian Constitution,” 9-20.

<sup>29</sup> Zaheer Abbas Chohan, Naveed Anjum Naru & Huma Ikhtlaq, “International Law and Self Determination: A Case for Kashmir’s Special Status,” *International Journal of Kashmir Studies* 3, no. 2 (2021).

significant challenge for international organizations, particularly the United Nations, to demonstrate their effectiveness in preserving human lives and sustaining peace, protection, and prosperity worldwide. The UN-recognized this territory as a conflict between India and Pakistan to employ their armed forces against each other, with the two nations fighting four major wars over Kashmir. Despite the DGMO LOC agreement, ceasefire violations and border clashes have intensified. As a result, the two countries are embroiled in an international military conflict (IAC). A suicide explosion on a bus in Pulwama district on February 14, 2019 killing about 42 paramilitary troops in Lethapora, India. Adil Dar, a local indigenous armed rebel affiliated with Jaishh-e-Muhammed, took responsibility of attacking this land. Foreign Office of Pakistan denied India's assertions that the security forces and armed forces are allegedly involved to carry out this attack while suggested India to conduct reliable investigations and not to breach their security models. Following the attack, India carried out airstrikes on an alleged militant training camp in Balakot, Pakistan. On February 27, 2019, the Foreign Minister of Pakistan stated their Air Force from the Arial boundaries of their Line of Control carried out Air Strike.<sup>30</sup>

A representative from Pakistan's military units announced on the very day Indian aircraft breached its boundaries and blown out of the sky two airplanes. The commander from one of the warplanes was killed when it fell here on Indian side of Kashmir, while the other grounded in the territory of Pakistan.<sup>31</sup> Pakistan later turned the pilot over to India, reducing friction between the two nations. As confrontations all along Demarcation line persisted over 2019, hostilities among Pakistan and India remained elevated, or the use of power by both sides was not unusual. Pakistan reported that Indian military killed three military personnel and one citizen in April

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<sup>30</sup> Chohan, Naru & Ikhlqa, "International Law and Self Determination."

<sup>31</sup> Egor Lazarev, *State-building as Lawfare: Custom, Sharia, and State Law in Postwar Chechnya* (Cambridge University Press, 2023).



2019, whereas India alleged that Pakistani fire killed five of its personnel. The danger is that if the contested character of Kashmir is not settled quickly among two nations having nukes neighboring each other might imperil peace and stability. Numerous human rights government regulators, notably the UN, can play an important role in shaping the Kashmir dispute and ongoing infringements.<sup>32</sup>

### **The UN Secretary General's Position**

According to the Article 99 of UN Ordinance, the previous sections are in response to the threat of genocide and the tipping point of the India-Pakistan armed conflict over Kashmir, both of which have far-reaching implications for global safety and stability. According to this context, the Secretary General (SG) of UN can assume the following responsibilities. In terms of international peace and security, Article 99 of the UN Charter, which delegated powers to the SG, is the most important. It gives the Secretary-General the authority to bring to the Security Council's attention any situation that, in his opinion, may jeopardize the maintenance of international peace and security. According to the UN Preparatory Commission's report, The Initiative's draughtsmen were well conscious of the implications of the document and entrusting this task to the SG: "the responsibility it confers upon the Secretary-General will require the exercise of the highest qualities of political judgement, tact, and integrity." Given that the present Cabinet tendencies may render it hard to reach consensus on how to handle future catastrophes, the Treasurer may choose to use his Article 99 authority more regularly. Calling such instances to the knowledge of the Cabinet would permit it to focus on its peacebuilding function and the Chapter VII options available.

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<sup>32</sup> Lazarev, *State-building as Lawfare*.

## **Prosecutor Office International Criminal Court (ICC)**

As per accounts, there are scores of mass disasters in Kashmir. Inside the IOJK, violence, abduction, and assault were mostly prevalent. Assault has been used by Indian colonizers and police to as ell to penalize, terrorize, compel, disgrace, and denigrate people. The administration's use of frequent military forces, the activist group of indigenous armed rebels into the military services with commanding officers personally liable for those combatants' behavior and proficient of complying to laws of military conflict commitments, the military existence of activities conducted on both sides, and the size of the rebels as well as the state's military forces, all contribute to ubiquitous and frequent fighting in Kashmir. The Geneva Conventions are applied to the military struggle in Kashmir. However, the Indian government believes that it does not meet the criteria for applying Common Article 2 or 3.

That's due to the fact that India treats these problems as internal matters, albeit beyond the level of 'law and order', but well below the threshold of National or International Armed Conflict. But the Common Article 2 or 3 stipulates that its usage "shall not impact the legal status of the Parties to the conflict," this aversion persists.<sup>33</sup> In this situation, the judiciary has failed to provide tribunal testimony according to the article's demands. This ongoing dispute in Kashmir and the North-Eastern area depicts why the government is anxious about reporting the violence to the ICC. India continually refuses to implement the Geneva Accords, alleging that the threshold has not been met. Additional Protocol II, which includes a lower bar under Article 1(2), could have been useful, but India has yet to ratify it. With the occupied Kashmir setting new records for egregious human rights violations and crimes against minorities in various states, there is concern that if India adopts the Rome Statute, it may fall under the jurisdiction of the ICC. However, the Rome Statutes

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<sup>33</sup> Lazarev, *State-building as Lawfare*.

afforded the Prosecution *Sou Moto* ability to take cognizance of international crime without the need for treaty approval.

Article 15(2) goes over the preliminary examination procedure and how to get more information. According to the Section 3 of Article 15, unless the Attorney believes there really is a valid cause to advance with an enquiry, one must make a petition to the Pre-Trial Panel for authorization to begin an inquiry, along with any corroborating information obtained.<sup>34</sup>

### **Recommendations**

- The legal regime exists both inside countries' local domains and as international law, which must be leveraged through a well-resourced and structured effort to identify human rights and IHL transgressions. To that aim, Kashmiris should be assisted in gathering solid evidence of specific acts by entities as well as individuals, which should then be properly documented and presented in front of UN bodies such as the Human Rights Council and General Assembly.
- Gathering evidence of atrocities/human rights breaches through special committees established by statute.
- AJ&K government, Ministry of Foreign Affairs, and Ministry of Defence capacity building in international law.
- A public sector Center of Excellence/Think Tank, preferably in a university, should be formed to build a pool of international law specialists.
- The Kashmiris should be given all feasible assistance in gathering evidence of systematic atrocities committed by Indian occupying forces in order to build a case of crimes

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<sup>34</sup> Lazarev, *State-building as Lawfare*.

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against humanity. Crimes against humanity are simple to pursue in international forums since they are free from the local law remedies clause. As a result, there is no need to exhaust local remedies in such circumstances. Cases can be initiated by victims or their relatives, or by non-governmental organizations (NGOs) on their behalf. Trial International, the Center for Justice and Accountability, International Federal for Human Rights, and REDRESS are among the non-governmental organizations that provide pro bono assistance in this area.

- The legal regime exists inside countries' internal jurisdictions as well as international law, which must be leveraged through a well-resourced and organized effort to highlight human rights and IHL abuses. To that aim, Kashmiris should be assisted in gathering solid evidence of specific acts by entities as well as individuals, which should then be properly documented and presented in front of UN bodies such as the Human Rights Council and General Assembly. A Vice Chancellor may notify a committee as a statutory entity under the Act of any University or its connected Area Study Center for the collecting and documentation of evidence, which should be sponsored as a project by the Ministry of Finance.
- There is a need for capacity training in legal topics, particularly international law, at the Foreign Office, the Ministry of Foreign Affairs, and the Ministry of Defence. The capacity for improvement of the AJ&K government in international law and the use of lawfare options through improved human resources and finance is mandatory. A public sector Center of Excellence/Think Tank, preferably in a university, should be developed to create a pool of international law experts.

## **Conclusion**

After witnessing genocide and ethnic cleansing across borders in Rwanda and the Balkans, the international community established a fail-safe mechanism that can be used as a model for Kashmir. Kofi Annan, the then Secretary General of the United Nations General Assembly, urged for the world community to find a way to stop human suffering. As a response, in September 2000, the Canadian government established the International Commission on Intervention and State Sovereignty. In 2001, it published a paper titled “Responsibility to Protect.” The United Nations launched the R2P commitment in 2005, with widespread backing from member countries. In certain cases, the UN invoked R2P; but, in the case of Indian crimes in occupied Kashmir, it did not. The concept of the Right to Defend was developed by the United Nations in order to protect citizens from the persecution of state and non-state actors. The concept is based on three principles: states carry exclusive responsibility for protecting individuals, the international community aids states in establishing protection capability, and the international community should act immediately and decisively in cases of state-sponsored persecution. Because the Indian occupying forces are systematically and deliberately involved in the valley’s gross human rights violations, the Indian massacres in Jammu and Kashmir demand the international community’s attention, as well as a serious commitment beyond lip service from Pakistan (a party to the conflict). The crimes have been denounced to the UN Commission on Human Rights and other genuine human rights organizations, but the UN’s ability to take effective action is questionable. Domestic and systemic determinants have a considerable impact on the UN’s reluctance to use R2P, according to the analysis. The high politics of major powers’ economic and military interests in India, as well as their reliance on the UN, overshadowed concerns about human rights violations in Jammu and Kashmir at the system level. Similarly, in the new geopolitical

great game of big powers, the geography of Jammu and Kashmir is largely overlooked, and India's rise as a regional hegemon reinforces its position in regional political and security architecture. Pakistan, on the other hand, is unable to internationalize India's crimes because of its limited capacities, economic uncertainty, and domestic instability. The growing dominance of India in the international system, along with Pakistan's limited ability to portray Kashmir on the international stage, is paving the way for the United Nations to fail. Since 1947, there have been several incidents of genocide and ethnic cleansing in Kashmir. The disaster of November 1947, when Dogra forces, supported by Sikhs and RSS zealots, killed around 230,000 Muslims in the Jammu region alone, is most vividly remembered. The lengthy conflict resulted in the murder of around 100,000 innocent individuals in the second wave of genocide from 1989 to 2019. Since August 5, 2019, when India abolished Jammu and Kashmir's special status, the third wave of massacres has been in full swing. Abrogation of Article 370/35(A), torture, incarceration, intimidation, and deaths of civilians have all increased drastically over the previous decade. This new genocidal paradigm serves as a model for the Modi government's goal of changing Kashmir's demography and political narrative. The widespread assassination will reduce the Muslim majority to a minority, clearing the way for a larger India. Before it is too late, the international community and the United Nations must thoroughly assess the situation and take bold and prompt action to protect Kashmiris from large-scale genocide and ethnic cleansing.



## ‘Half Widows’: A Socioeconomic Study of the Survivors of Conflict in Occupied Kashmir

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## **‘Half Widows’: A Socioeconomic Study of the Survivors of Conflict in Occupied Kashmir**

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### **Abstract**

*This article focuses on half-widows in the Indian Occupied Kashmir, a socioeconomic phenomenon brought forth by political violence between India and Pakistan. Half widows are the surviving female partners of Kashmiri men who have gone missing due to illegal detention, extrajudicial killings, and in resistance movements. Women in Indian occupied Jammu and Kashmir (IOJK) are facing severe circumstances due to their husbands’ deaths and disappearances. As a result, these women have a variety of emotional, physical, mental, and social issues; and the subject of this paper is formulated around these issues related to women who fall in category of half-widows and how their rights are being violated in IOJK. Furthermore, a secondary focus of this study is on*



*the practices that oppress and degrade women after their husband's disappearance.*

**Keywords:** Half-widows, Indian Occupied Jammu and Kashmir (IOJK), Human Rights, Enforced Disappearances.

## **Introduction**

India and Pakistan have been at war over Kashmir since 1947. The conflict has an impact on every area of daily life in Kashmir, but it has a special impact on women. Half-widows are women whose spouses have undergone forced 'disappearances' but have not yet been officially ruled to have died.<sup>1</sup> Enforced disappearances can also be as arrest, detention, kidnapping and all types of lack of freedom by state agents. In Indian Occupied Jammu and Kashmir, the practice of forced disappearances began in the 1990s. Women who cannot determine whether their husbands are deceased or alive are referred as 'Half widows'.

The majority of enforced disappearances were carried out by police, paramilitaries, the militants, and also military. However, the proportion of disappearances committed by militants is much lower. Omar Abdullah, the ex-chief Minister of IOJK, played an important role in pushing the thread to cross the LOC into Kashmir occupied by Pakistan.<sup>2</sup>

In IOJK, about 8,000–10,000 men are missing since 1989 as per survey done by Association of Parents of Disappeared Persons, in which roundabout 1,500 are 'half-widows'.<sup>3</sup> The Indian government, however, denies knowledge of the problem of forced

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<sup>1</sup> Bashir Ahmed Dabla, "A Survey of Widows and Orphans in Kashmir Conflict. Kashmir," *India: Kashmir University*, no. 5(2010): 177-182.

<sup>2</sup> Julie Marie Peteet, *Gender in Crisis: Women and the Palestinian Resistance Movement* (New York: Columbia University Press, 1991).

<sup>3</sup> Veena Das, "Violence, Gender, and Subjectivity." *Annual Review of Anthropology*, no. 37 (2008): 283–99.

disappearances in Kashmir and claims that just 4,000 people are 'missing'. As a result, the 'half-widows' are left in an unresolved, perpetual state of grief, suffering the effects of what is known as an 'ambiguous loss'—a loss that is not yet resolved or clear.<sup>4</sup>

Due to territorial and political conflict between India and Pakistan over years, many women become 'half-widows'.<sup>5</sup> More than 70,000 people have died in the fighting between the areas claimed by India and Pakistan; most of them were civilians.<sup>6</sup> In 2009, the Guinness Book of World Records declared Kashmir as the "planet's largest militarized territorial dispute".<sup>7</sup>

Kashmiri women are the main sufferers of the continuing and unending conflict between Pakistan and India. They have been subjected to human rights violations while the strangulating Indian military involvement in IOJK has gone unchecked. According to facts and figures from the Jammu and Kashmir State Commission for Women, the newly established government institution was established to guard the privileges of both women and children and to ensure prompt prosecutions. During the previous crackdowns in 2016 and 2017, the number of cases of violence against women and violence in general increased by over three thousand each year.<sup>8</sup> Even under international Law, this issue remain unattended, only available is Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearances, 2006 which deals with rights of half-widows to somehow.

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<sup>4</sup> T.W. Bennett, "Human Rights and African Customary Law under the South African Constitution," *Journal of African Law* 48, no. 2 (2004): 271-73.

<sup>5</sup> Abid Bhat, "In Pictures: Kashmir's 'half-widow,'" *BBC World News, December 11, (2013)*.

<sup>6</sup> Raja Mohan, "The other Half: For Many Kashmir 'half-widows', Remarriage Ruling Means Little," *The Indian Express*, March 2, 2014. accessed July 01, 2022.

<sup>7</sup> Jamie Halsall, "The Social Context of Widowhood Rights and Women's Human Rights in Cameroon," *Journal of Cogent Social Sciences* 2, no.1 (2016): 59-60.

<sup>8</sup> Aliya Bashir, "Kashmir's half-widows Shoulder the Burden of a Double Tragedy," *The Guardian News*, October 2010. Accessed July 02, 2022.

Violence against women is on the rise in IOJK. Due to the extensive militarization in valley of Kashmir, women have frequently been subjected to harassment, rape, molestation, and sexual assault such as rape by Indian security personnel. Although gender violence is regular, it is sometimes overlooked in favor of more pressing security concerns, much like in other conflict situations. The incidence of violence among women in daily life has been noted by several independent observers, although the exact statistics are unknown.<sup>9</sup>

### Literature Review

Athar Zia stated in his work “The Spectacle of a Good Half-Widow: Women in Search of their Disappeared Men in the Kashmir” that Sadaf’s descriptive representation highlights the prolonged debates on feminine subjectivity, especially in a military area. There are no practices in Kashmiri culture for dealing with the eventualities generated by militarization, which has pressurized women to face not merely with governmental fear but also social criticism. The public structure of Kashmir, which has already been damaged due to 60 years of war, militarization as well as armed conflict, has become even more torn apart during Sadaf’s lifetime. The state benefits from the escalation of gender injustices and biases because it is not seen as the ‘direct aggressor’ while the social hierarchy actively discriminates against women. Forced disappearances as a punishment also uniquely deconstructs the culture. It created gaps in social order, erasing the community as it knew it and bringing about anomie.<sup>10</sup>

Rameez Raja Mir stated in his article that in 1991, the 14th Rajputana Rifles Unit is reported to have raped more than 40

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<sup>9</sup> A. E. Afigbo, “Prolegomina to the Study of the Culture and History of the Igbo-speaking Peoples of Nigeria,” *Igbo Language and Culture* 28, no.3 (1975): 28–53.

<sup>10</sup> Athar Zia, “The Spectacle of a Good Half-Widow: Women in Search of their Disappeared Men in the Kashmir Valley,” *Political and Legal Anthropology Review* 39, no.2 (November 2016): 169.

women, ranging in age from 13 to 80, while holding them at gunpoint. Nine women were allegedly gang raped by an army unit in Shopian in October 1992. In 2009, we saw the discovery of the rape and murder of two young ladies named Neelofar Jan and Asiya Jan. The victims, however, are not courageous enough to reveal it to the open in media as well as in public because of societal stigma. In Kashmir, women often experience indirect harm in addition to direct violence. They are psychologically impacted and are said to have the worst mental health issues in Kashmir. Given their typical monetary necessity on husbands in most situations, women also experience socioeconomic disadvantages.<sup>11</sup>

Farheen Abdullah, in her work "Theatre Review: Half Widow by Rights Council of Pakistan" reported that during armed conflicts, women, who account for half of society, are frequently targets of rape, molestation, and torture. Their pain is constant, ongoing, and unacknowledged. In many communities, losing a male entail losing the family's primary provider, potentially leading to hardship and an uncertain future for the family. This situation can force women to work in traditionally male-dominated fields. However, women still do not have enough authority to make decisions.<sup>12</sup>

Ekta Dokania in her article "Widow of Silence: Views Kashmir Conflict through a Half-widow's struggle" describes that during the Kashmir struggle, women encountered annoyance, harassment as well as violence, not only from armed forces but also from fighters. She also described that the plight of women of their moans were remained unaddressed. Because of which thousands of orphaned children and half widows are facing the consequence of battle.<sup>13</sup>

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<sup>11</sup> Raja Rameez Mir, "Women and Violence: the Socio-economic and Political Status of Half-widows in Kashmir," *South Asia Journal* 32, no.4 (May 29, 2016): 17-21.

<sup>12</sup> Farheen Abdullah, "Theatre Review: Half Widow by Rights Council of Pakistan," *A Cultural Journal* 4, no.3 (February 07, 2019): 78-89.

<sup>13</sup> Ekta Dokania, "Widow of Silence: Views Kashmir Conflict through a half-widow's Struggle," *The Seattle Globalist* 7, no.4 (May 29, 2019): 10-14.

The doctrinal legal research method is mostly applied in legal research. During this research analytical approach along with descriptive methodology will be applied and data constitutes books, articles, newspapers, and reports. This study describes the socio-politico and economic position of half widows in IOJK and understanding of the human rights of women in IOJK.

## **Discussion and Findings**

In addition to dealing with their own experiences of grief, loss, or trauma following the death of a spouse, widows may also encounter economic insecurity, stigmatization based on their marital status, discrimination, and harmful traditional behaviors also including socio-economic issues, re-marring barrier, social and psychological problems, lack of government assistance and legal aid.

## **Equal Inheritance Rights and Financial Challenges**

In IOJK, half-widows are even denied equal inheritance rights and risk losing their homes, their property, or even their children. Their ability to inherit money, open bank accounts, and obtain credit may be restricted, which might have a severe financial impact on them, their offspring, and future generations. According to estimates, one in ten widows worldwide suffers from severe poverty. The missing or disappearance of a husband can leave older women homeless because half-widows are also considerably less likely than males to have access to pensions.<sup>14</sup>

## **Socio-Economic Challenges Faced by Half Widows**

Half-widows suffered and, still are suffering countless insecurities including economic, social, and emotional. The majority of departure and missing incidents took place in the countryside, because of having less or lack of freedom. Their fundamental rights

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<sup>14</sup> Bhat, "In Pictures: Kashmir's 'half-widow.'"

to a good life were also compromised by societal stigma. Half widows are subject to intimidation, extortion, and manipulation by people in positions of authority. The half widows are at the mercy of their relatives who repeatedly try to deprive their property rights.<sup>15</sup>

Women become economically insecure when their husbands suddenly stop providing money, which causes an unexpected insufficiency of cash. Half widows are prohibited from receiving ration cards, transferring their husband's property, or opening bank accounts. Since their spouses have not yet been formally ruled dead, half the widows do not receive death certificates. In accordance with Islamic law, a widow is entitled to one-eighth of her husband's assets if she has children, and one-fourth if she does not.<sup>16</sup> However, a half-widow is not entitled to anything until her husband is declared legally dead. Children of widows and widowers become reliant on the husband's relatives.<sup>17</sup>

The disappearance of husbands puts half-widows subject to countless dangers to their physical and mental health. She might never be able to see some of her children because their in-laws keep their kids apart from them. Half-widows experience social exclusion, economic discrimination, and political alienation.<sup>18</sup>

In Kashmiri society, half-widows are viewed as stereotypes by the public. The way they fight for justice is vilified by individuals in their social circle. For example, when they meet with their attorneys and any government representatives, individuals slander them.<sup>19</sup>

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<sup>15</sup> Iqbal Kirmani, "Why are half-widows in Kashmir being Denied Share in Husband's Property," *DNA on Kashmir*, no. 5 (November 2015): 12.

<sup>16</sup> Surah-e-Bakrah verse 233 and Muslim Family Ordinance, 1961.

<sup>17</sup> Surah-e-Bakrah verse 233 and Muslim Family Ordinance, 1961.

<sup>18</sup> J. Roberts Comaroff, "Rules and Processes: The Logic of Tswana Disputing." *Chicago, IL: University of Chicago Press*, no.7 (1977): 122-30.

<sup>19</sup> M. Jaggari, & S. R. Bordo, "Gender, Body and Knowledge: Feminist Reconstruction of Being and Knowing," *New Brunswick, NJ: Rutgers University Press*, no. 5(1989): 145-71.

## **Islamic Concept and Re-marriage Barrier**

Half widows seldom remarry, and mostly do not even consider it as they think and ultimately hope to hear something about their husband's return. Islam supports re-marriage, on the other hand the four main schools of thought i.e., Hanafi, Maliki, Shafi, and Hamabali offer various perspectives on the practice. For instance, the Maliki school of thought stipulates a 4-year waiting period, while the Hanafi school of thought stipulates a nine-year waiting term following the disappearance of her spouse.<sup>20</sup>

Additionally, there are conflicting views on whether a second marriage is legitimate if the first husband returns. Before being remarried, a half-widow must first seek help from Islamic law, which is frequently interpreted by Islamic scholars to mean that the first marriage must be annulled. However, the majority of half-widows are unaware of this religious clause and avoid getting remarried. In addition, Muslim clergy may hesitate to take up the matter of half-widow's remarriage. They find it challenging to pronounce a missing individual dead.<sup>21</sup>

In the Muslim Marriage Act of 1939, the Hanafi School finally acknowledged agreement with the Maliki school of thought by establishing a four-year waiting period for half-widow remarriage. Some younger half-widows get remarried shortly after their husband vanishes.<sup>22</sup>

## **Psychological Impact**

The forced vanishings have a severe psychosomatic effect on half-widow's thoughts in addition to emotions. Their husbands' forced disappearances associated with economic, social, and legal fight, and these factors make their employment uninteresting and cause

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<sup>20</sup> Muslim Family Laws Ordinance, 1961.

<sup>21</sup> Mohan, "The Other Half."

<sup>22</sup> Muslim Marriage Act of 1939.

anxiety and tension. Half-widows are dealing with Post-Traumatic Stress Disorder (PTSD), but unfortunately the government is failing to offer them specialized medical as well as psychological care.

Half-widows depend on antidepressants and other medications since they are unaffordable and expensive, which has led to other health-related issues for them. Half-widows still hold onto optimism despite the fact that doing so has negatively impacted their physical and emotional health.<sup>23</sup> Their economic conditions are negatively impacted by their deteriorating mental and physical health, which further exacerbates their social standing and vulnerability.

### **Lack of Government Assistance and Legal Aid**

Government support for the family is difficult to obtain and often leads to friction between the widows and their in-laws, especially if they are from poorer families. Half widows only receive one-eighth of the relief since the in-laws have a stake in it, and Muslim personal law supports their right to a portion. Because the half-widow is not confident that her husband will not come back, there is sometimes discussion about whether she should be entitled to compensation.<sup>24</sup>

Half widows are not averse to receiving government support, but because their experiences are widely known, few are able to give them any chance of receiving the financial support they so desperately need. The majority of half widows assert that they will not compromise their self-esteem in exchange of government assistance.<sup>25</sup>

Half widows encounter challenges when trying to obtain pensions, ration cards, compensation from the government or becoming

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<sup>23</sup> Muslim Personal Law Shariat Application Act, 1962.

<sup>24</sup> A. M. Jagger. "Love and Knowledge: Emotion in Feminist Epistemology," *New Brunswick, NJ: Rutgers University Press*, no. 4 (1989): 133-39.

<sup>25</sup> M. B. Miles & Huberman, *Qualitative Data Analysis: An Expanded Source Book* (London: Sage Press, 1994).



eligible for remarriage. There is no public acknowledgement of the missing by the army, any agencies or even by police in the case of legal remedies. Police in India refuse to file a First Information Report (FIR) of half-widows, leaving them with no option but to resort to legal action. Half widows often lack the financial resources or legal knowledge to retain counsel and pursue legal claims. The process can be avoided if an attorney accepts the case pro bono.<sup>26</sup>

### **Unavailability of Hindu Laws to Half Widows**

Many widows' rights are given under Hindu law including those related to property, coparcenary, inheritance, etc. There have been numerous changes made to the existing laws, such as the Hindu Women's Right to Property Act, 1937; the Hindu Succession (Amendment) Act, 2005; the Hindu Succession Act, 1956, and the Hindu Succession (Amendment) Act, 2005, has been amended as part of the revisions, providing absolute interest as a coparcener. A daughter has also been made a coparcener, per Section 6(1) of the Hindu Succession (Amendment) Act, 2005. When we carefully examine the Hindu Succession Act of 1956 and its amendments, including those made in 2005,<sup>27</sup> significant changes have been made, which have ultimately changed the situation of a widow in relation to coparcenary rights, legacy, and property right. But all these rights are unavailable to half-widows of IOJK.

### **Recommendations**

To safeguard and protection for half-widows' rights in IOJK, here are some suggestions that international organizations for Human rights, CEDAW, governments representatives and each of us should take:

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<sup>26</sup> Mac Cormack. "Biological Events and Cultural Control Signs," *Journal of Women in Culture and Society*, no. 3 (1977): 93–100.

<sup>27</sup> Hindu Succession (Amendment) Act, 2005.

- Improve and provide half-widow' access to inheritance, land, pensions, and other social safeguards by implementing social and economic reforms.
- Special laws should be made by CEDAW and other International organizations
- Discriminatory and unfair laws should be ended and such discriminatory laws that deprive half-widows of their property, housing, income, social benefits, and opportunities must be repealed.
- Empower half-widows by providing access to opportunities for education and training, fair employment, and income, and eradicating social stigmas, so they can support themselves, their families, and live with dignity.
- Encourage and support community measures, international efforts, and advocacy to defend, develop and protect the rights of widows as protected in international laws and conventions.
- Remarrying right should be given to half-widow according to Islamic Law
- Half-widow should have access to justice and government policies assistance should be available for them.
- Half widow's knowledge of their rights under the convention should be increased, developed, and bolstered via education.
- Governments should often demand ratification of International Human Rights Treaties time to time for half-widows as well.
- The government, civil society, and women's organizations need to give them the support they need to lead dignified lives. For their mental health, these women require free medical care and counselling.

## **Conclusion**

With the ongoing discussion it is concluded that the worst affected by the direct and indirect effects of violent hostilities in IOJK are half widows. Along with ongoing pain from post-traumatic disorder and transgenerational trauma, half widows also experience economic insecurity. Due to their husbands' prolonged absence,

these women are more exposed to societal scrutiny, policing, and abuse at the hands of people in positions of authority. Only a small percentage of half widows decide to be married again. Half widows in IOJK are strong models of perseverance, continuing to fight for justice and a decent existence in spite of obstacles and limitations on both a societal and governmental level.

The offspring of these half-widowed mothers, who were directly impacted by the sufferings they endured, likewise received no significant support from the government or civic society. These children should receive free schooling and other required care in order to shield them from trauma and help them lead prosperous lives in the future. The problem of half-widows lay dormant for a few decades before being revealed and made public by the NGO known as APDP. But until now, neither the federal nor state governments have been able to offer these women a way to rejoin society.

it is important that at both the state and national levels, the government and civil society should step up and provide the support these traumatized women need to lead dignified lives. For their mental health, these unlucky women require free medical care and counselling. They should receive assistance in creating self-help organizations so they can maintain their socioeconomic stability. Governments at the state and national levels should take prompt action to solve the challenges of social marginalization and political alienation facing half widows. Most of their problems can be solved by making them financially independent and by providing them jobs according to their education and skills.



## Book Review: Understanding Kashmir and Kashmiris Written by Christopher Snedden

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## **Book Review: Understanding Kashmir and Kashmiris Written by Christopher Snedden**

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Kashmir studies have been the subject of debate for researchers and authors across the globe. The researchers and authors wrote about the significance and historical background of the state of Jammu and Kashmir. Christopher Snedden is one of those authors who wrote about different aspects of Jammu and Kashmir. He is an Australian academician /researcher who made a reasonable contribution on the issue of state of Jammu and Kashmir through his writings. This book is based on the different resources of knowledge including empirical studies and historical writings by researchers and historians the world over. The first-hand narratives of the people of Jammu and Kashmir have also been taken to make it engage the readers. It has been thus argued that the Kashmir dispute was initiated by the people of Poonch in Jammu and Kashmir before the ill-famed tribal invasion. Similarly, there are different historical and academic writings where the issue is presented as an untold story with the research-based evidence and the opinion of the people of Kashmir is less likely narrated. The book titled, *The Untold Story of the People of Azad Kashmir* narrates that the struggle for the liberation of Kashmir from Dogra rule was initiated from the Poonch uprising and some notable people played a role against the

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unrest created by the Maharaja Government. In this regard, some background studies of historical writings have been the building blocks to the writing of Christopher's book. The title of the book was criticized and modified by the Indians when it published there.

Christopher wrote the third book on the untold stories of the people of Azad Kashmir, which was massively critiqued by the Indian government, scholars, and researchers. Consequently, Christopher wrote another book titled, *Understanding Kashmir and Kashmiris* (2015) by putting an overview on both sides of the divides of Kashmir covering all the regions. Almost all the historically significant aspects have been covered in the book except a few either censored or misinterpreted. In the beginning, the antecedents of the Kashmir conflict are converted on the starting pages. Reflecting on the British intention and Russian confrontation while showing the Gulab Singh and his successor's empire. All these pictures are showing the British intention for the Dogra regime and fame of the Kashmir valley for ages.

As all the authors struggled with jargon and terminologies in Kashmiri language, Christopher also faced the language barrier to understand the local terminology and he called it a very sensitive case. Many of the terms were quite confusing for him i.e., Pakistan/Indian Held Kashmir (IHK), Pakistan/Indian Occupied Kashmir (POK). Moreover, international press and electronic media, academicians, and researchers mostly use Pakistan-Indian administered and controlled Kashmir terminologies; ; similarly, the other confusing terms for researchers are Jammu and Kashmir and Azad Kashmir which confuses researchers about the territory. Christopher thus used "Jammu and Kashmir" for the representation of the entire Kashmiris.

In the last book written by Christopher, he argued that the people of Jammu and Kashmir are in this dispute for three main reasons: (a)

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Pakistan has been standing by the people of Kashmir on the diplomatic grounds while influencing through the international community and rejecting the Indian claim of tribal invasion on Kashmir conflict; (b) what hindered people of Kashmir to make Kashmir independent was the rule of Maharaja Hari Singh, he never empowered his state and economy depending on the British rulers; and he was unable to decide because of the British influence. "...never empowered the people of Kashmir while they were incapacitated and mainly relying on...British aid to nurture and protect the regime (p: 153); and (c) while in the State, diversified ethnic and religious and political aspirations were found which weakened the cause of freedom. Due to those dependence on external elements of rule and control, the Maharaja always depends upon the British support and has been found conditional to it; as a result, he could not strengthen himself politically which later became a problem and he could not make a timely decision. Snedden sees things from a broader perspective while his book gives a clear understanding of the Kashmir conflict. The role of Kashmiri native leadership has also been important regarding the denial of the basic rights and human rights violations of the people of Kashmir. With the eye of a historian, he has an interest in native and political culture but has ignored the socioeconomic concerns which is important to understand the Kashmiri people. Similarly, the structures of the political and cultural movements were excluded. While the political culture may reveal the significance of uprising in the region and the motives undertaken against the succeeding governments. It cannot provide the social angle of political resentment; for example, the ethnic and communal relocation of non-Muslim communities into the valley. Furthermore, the uprising of 2008 is entirely missing which is the important internal dynamics of the conflict. This missing information is due to Snedden's bias regarding Kashmir.

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It has been justified by the researchers in their books on Kashmir, arguing that the people of Kashmir were supposed to have autonomy under the Article 370 while unrest is among the unemployed and educated youth due to the refusal of rights and so-called democracy that the suppressed brutal Kashmir's never accepted the rigged polls of 1987, was the actual case. Snedden justifies that there are problems with state parameters as the state is not doing good with people which moves towards the failure of the institutions. Kashmiri community is denied the autonomous political rights and all the agencies have failed to comply with the wishes of the Kashmiri community.

Identifying and emphasizing on Kashmir' collective self-identity and group security of the Kashmiri community which has lost its integrity and structure due to a prolonged conflict. It is pertinent to mention that structural paralysis is created because there is no reconciliation between the deserved groups. Hence, it created a vacuum in which oppression is justified by the ruling elites.

The movement of liberation is confronted with the state structure only due to not providing the decentralized form of autonomous political participation and denial of the state narrative because there is a monopoly of the democratic processes. So, the dominating discourses of state politics have been influencing the nature of movement for a long time. Furthermore, there are popular discourses of the state which influence the movement politically. In this way, political formations lose their legitimacy when engagements are not reflected in state discourses. As the plebiscite was the popular demand but not delivered by the states? It is a fact that when the demands are opposed, political mobilization is disrupted by the state apparatus and creates disillusionment and people fall to militancy against the state.



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Human rights in Kashmir are very important because of their violation in Kashmir. Snedden did not present the different reports by the international agencies while mainly depending on the Indian official reports. In this regard, some other international neutral institutions or groups may be focused to know the actual situation in this regard i.e., Asia Watch, Amnesty International, and Physician for human rights and many more.

It is revealed that the state has dealt inadequately viz the wishes of the people of Jammu and Kashmir were eroded deliberately to suppress the people. Owing to polarity in the political process, anti-India and anti-army narratives developed that ultimately favored Pakistan; hence, a state of frustration prevailed among the people that impacted the popular narratives as well. However, the important proclamations were overlooked like the conflict of Kashmir as Snedden mentions on Page 250 that “During 1999-2000, several Kashmiris want peace and normalcy and return to regions”. He accepted the narrative of state to return towards peace and normalcy. As such a statement and definition of peace and normalcy creates problems for the pro-movement Kashmiris show reservations due to the important political implications: as the time of peace and normalcy was predominantly turned into an armed movement in the 1990s.

Like other authors, Snedden also suggested the solutions to the Kashmir conflict. He reveals that both neighboring countries India and Pakistan are at fault as both the states inexorably obsessing to Kashmir. Here Snedden cited fourteen consecutive events between 1950-2005 and argued that these events, “could have altered the...status quo.” As the international community [countries] has the captivating reason to intervene and mediate between the neighboring countries but they were found either uninterested in the matter or parties adopted the truce and for the time being initiated the dialogue on the pressure of international forces and soon left out and

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confronted. Therefore, the authors consider the best way to resolve the Kashmir issue is to ‘let the people of Jammu and Kashmir decide their fate’. He clearly explains that makes the people of the Jammu and Kashmir as a party to the Kashmir issue while discussing the issues mutually with other two stakeholders and reach the solution. As this approach is reasonable to own those in the process of resolution who states, and homeland are the centers of the dispute. While proposing the solution of “let the people decide approach”, Snedden differs from and, the argument of withdrawal of Kashmiris’ from the basic right. Snedden unlike other authors shows his pragmatic stance on the dispute by arguing that India and Pakistan were not able to resolve the Kashmir conflict rather people of Jammu and Kashmir may resolve.

In this book, one of the important sections is its last chapter where the politico-strategic vision of Snedden is revealed vehemently. His ‘strategic ponderings’ imply that ‘nothing stays the same forever’ while considers the natural law as the status quo on the South Asia region will change overwhelming even the status of Kashmir conflict will change. Another argument he made, “One thing seems certain: population growth and increasing water issues will plague the subcontinent in the years to come...” In the end, the analysis of Snedden on the political narrative “for a more generalist audience,” is incisive, well searched, logically written. Thus, this book provides rich historic details from the recent studies and historical writings while neatly unknots the political and diplomatic complexities embroiled in the Kashmir conflict.

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